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THE STATE OF OHIO.

GENERAL AND LOCAL ACTS

PASSED

AND

JOINT RESOLUTIONS

ADOPTED

BY THE

SEVENTIETH GENERAL ASSEMBLY,

AT ITS REGULAR SESSION,

Begun and Held in the City of Columbus, January 4th, 1892.

VOLUME LXXXIX.

COLUMBUS, OHIO:
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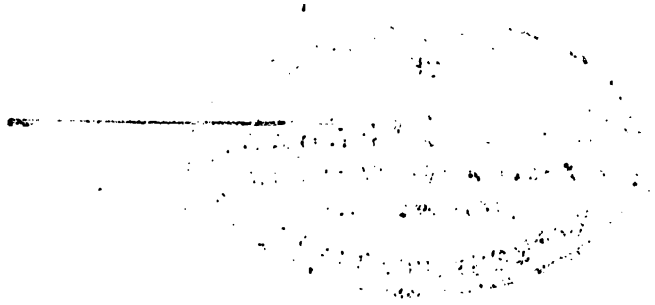


COMPLIMENTS OF
FRED. BLANKNER,
3RD ASST. SERGEANT AT ARMS
HOUSE OF REPRESENTATIVES.

GENERAL LAWS.

[House Bill No. 15.]

AN ACT

To authorize the council of certain villages to borrow money and issue bonds therefor to defray the necessary expenses of such villages.

General expense bonds (Girard).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of any village having at the last federal census 2,150 inhabitants, or which may at any future census have such population, be and the same is hereby authorized to issue the bonds of such village in any sum not to exceed five thousand dollars ($5,000), bearing interest at a rate not exceeding six per cent. per annum, payable semi-annually, for the purpose of defraying the necessary expenses of the government of such village. Not less than two thousand dollars of such money shall be credited to the light fund of the village, and the balance of the money so raised by the sale of said bonds shall be used for the general expenses of such village.

Amount.

Interest.

Apportionment of proceeds.

Payment of principal.

SECTION 2. The principal of said bonds shall be made payable at such places and at such times as the council of said village may by ordinance determine; and the said council is hereby authorized to levy a tax not exceeding 2 mills on the dollar each year to pay the principal and interest of such bonds as they become due.

Tax levy.

Issue and sale.

SECTION 3. Said bonds shall be issued in such sums as the council may determine by ordinance, and shall be signed by the mayor and countersigned by the clerk of said village, and they shall not be sold for less than par value.

SECTION 4. This act shall take effect from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed January 13, 1892.
1G

[House Bill No. 16.]

AN ACT

Making appropriation for expenses of the general assembly.

Appropriation for expenses

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there is hereby appropriated from any money

general assembly.

in the treasury to the credit of the general revenue fund, and not otherwise appropriated, the sum of fifty thousand dollars ($50,000) for salaries and mileage of members, per diem of clerks, sergeants-at-arms, and other officers and employes of the general assembly, five hundred dollars ($500) for contingent expenses of the house, and five hundred dollars ($500) for contingent expenses of the senate.

SECTION 2. This act shall take effect from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed January 13, 1892.
2G

[House Bill No. 21.]

AN ACT

To amend section 2 of an act entitled "An act to provide for the meeting of the decennial boards of equalization in counties containing a city of the second grade of the first class, as boards of revision."

Preamble.

WHEREAS, The maps and returns of the district assessors containing the decennial appraisement of real estate in the city of Cleveland were partially destroyed by fire, thereby greatly increasing the labors of the decennial city board of equalization now sitting as a board of revision; and

WHEREAS, It will be impossible for said board of revision to conclude its labors in the time now fixed by law; therefore,

Boards of revision (Cuyahoga county):

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2 of an act entitled "An act to provide for the meeting of the decennial boards of equalization in counties containing a city of the second grade of the first class, as boards of revision," be amended so as to read as follows:

Sessions.

Sec. 2. The session of said county board of revision shall not be held for a period longer than twenty days, and said city board for a period not longer than ninety days.

Repeals.

SECTION 2. That said original section 2 of said act be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed January 13, 1892.
3G

[House Bill No. 17.]

AN ACT

To amend section 995 of the Revised Statutes of Ohio, as amended May 4, 1891.

Board of control (Hamilton county):

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 995 of the Revised Statutes, as amended May 4, 1891, be amended so as to read as follows:

Meetings. Organization.

Sec. 995. The members of such board of control shall meet at the court-house on Tuesday of each week. The members appointed, as provided in the preceding section, shall convene on the first Tuesday after their appointment and qualification, and the members thereafter elected as provided shall, annually, assemble together on the second Tuesday of December and organize the board; a majority of the members shall be necessary to constitute a quorum for the transaction of business. All their proceedings shall be public; they shall determine the rules of their proceedings, and these shall, as far as possible, be in accordance with parliamentary law; they shall keep a journal of their proceedings, which shall be open at all proper times to the inspection of the public, and may compel the attendance of absent members in such manner as they prescribe. They shall elect from their own body a president, who shall preside at their meetings, and they may elect a president pro tempore. The members of the board of control shall each receive as compensation for their services five dollars for every regular meeting they attend. They shall elect a clerk, who shall keep a correct journal of all the proceedings of said board of control, and perform such other duties as are required by the rules and regulations of the board; said clerk shall hold his office until his successor is elected and qualified, and shall receive as a compensation for his services a salary at the rate of twelve hundred dollars per annum. The compensation of the members of the board of control and the salary of the clerk shall be paid monthly by warrants drawn by the county auditor upon the county treasurer, on bills certified by the president and clerk of the board with the seal attached.

Quorum. Proceedings. Journal. Absent members. President and president pro tem. Compensation. Clerk; duties. Term; compensation. Payment of compensation.

Previous acts of board and clerk.

SECTION 2. Whenever any such board of control has heretofore appointed or elected a clerk, whose appointment, election or compensation was not provided for by said section 995 of the statutes as amended May 4, 1891, such election and all acts, services and duties performed by said clerk subsequent thereto by order of said board of control, shall be considered legal and valid, and said clerk shall be entitled to a compensation for said services at the same rate and payable in the same manner as the compensation of the clerk is provided for in section 1 [995, Revised Statutes,] of this act.

Clerk's compensation.

Repeals, etc.

SECTION 3. Said section 995, as amended May 4, 1891 (88 O. L., p. 531), is hereby repealed, and this act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed January 25, 1892.
4G

[House Bill No 72.]

AN ACT

Making appropriations for house and senate contingent fund purposes.

Appropriation for contingent expenses general assembly.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and is appropriated out of any moneys in the treasury, not otherwise appropriated, to the credit of the general revenue fund, fifteen hundred dollars ($1,500) for the house contingent expense fund, and fifteen hundred dollars ($1,500) for the senate contingent expense fund.

SECTION 2. This act shall take effect on its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed January 25, 1892.
5G

[Senate Bill No. 18.]

AN ACT

To provide for a deficiency caused by the publication of constitutional amendment.

Appropriation for publication constitutional amendment.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and is hereby appropriated out of any money in the treasury to the credit of the general revenue fund, not otherwise appropriated, the sum of twelve thousand and seven hundred dollars and eighty cents ($12,700.80), to pay for the publication of constitutional amendment, as provided for by an act of the general assembly passed April 25, 1891 (O. L., pp. 401, 402). The same shall be paid in accordance with section four of said act upon the warrant of the auditor of state, upon vouchers approved by the supervisor of public printing.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed January 28, 1892.
6G

[House Bill No. 104.]

AN ACT

To authorize any village in the state of Ohio, which had at the last federal census a population of not less than 840 nor more than 850, or which may have such population at any succeeding federal census, to issue bonds for the purpose of providing such village with a system of water-works and the purchase of apparatus for the extinguishment of fires.

Water-works and fire department bonds (Weston).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the village council of any village having a population of not less than 840 nor more than 850 at the last federal census, or which may have such population at any subsequent federal census, in the state of Ohio, be and is hereby authorized and empowered to issue bonds of said village in any sum not to exceed ten thousand ($10,000) dollars, and bearing interest at a rate not exceeding six per cent. per annum, payable semi-annually, and such bonds shall be of such denominations as the council shall, by ordinance, determine, but not less than one hundred ($100.00) dollars each, and shall be made payable at such times and place as the council shall, by ordinance, prescribe, but not more than twenty years from date, and such bonds shall not be sold for less than their par value in cash. The proceeds of such bonds shall be used for the purpose of buying or leasing the necessary land and water right, and buying the necessary material and constructing therewith a system of water-works for the said village, and purchasing necessary apparatus and appliances for the extinguishment of fires, and for no other purpose whatever; and such bonds shall be signed by the mayor of said village and attested by the clerk thereof and the seal of said village; and when sold the proceeds shall be paid to the treasurer of said village, who shall hold and disburse the same as other village funds are by him held and disbursed.

Amount.

Interest.

Denomination.

When payable.

Sale.

Water-works.

Fire apparatus.

Attestation.

Proceeds.

Additional tax levy.

SECTION 2. If bonds of said village be issued, as hereinbefore provided, it shall be the duty of the council of said village annually thereafter until the said bonds and the interest thereon are fully paid, to assess and levy a tax on all the taxable property of the corporation, in addition to all other taxes authorized by law, sufficient to provide for the payment of said bonds as they fall due with interest accruing thereon.

Rate.

General or special election.

SECTION 3. Provided, that before said bonds are issued, the village council shall submit the proposition of issuing the same to the electors of said village at a general or special election to be held for such purpose at such time and place in the corporation as the council shall determine by resolution. Notice shall be given of the time and place of holding such election and the amount of bonds to be issued at least ten days prior to the time of holding such election in a newspaper of general circulation in said village, and the form of the ballot shall be as follows: Those in favor of the construction of water-works and the issuing of said bonds shall have written or printed on their ballots "Water-works—Yes." Those opposed to the construction of water-works and the issuing of said bonds shall have written or printed upon their ballots

Notice.

Ballot.

Expenses of election.

Laws governing election.

Returns and poll-books.

Result.

Issue conditional.

Inconsistent laws.

"Water-works—No." Said ballots shall be provided by the council of said village and the expense thereof, and of said election shall be paid by said village. Said election shall be held in accordance herewith and with the statutes governing elections in force prior to the 30th day of April, 1891, so far as applicable. The returns and poll-books shall be made by the clerk, who shall return and present the same to the council at the first regular meeting after such election, when the same shall be opened and canvassed and the result declared by the council, and said result shall be entered upon the minutes of the council; and if it appear that a majority of the ballots cast at such election were in favor of water-works, then the council shall proceed to issue such bonds, and not otherwise; and all acts and parts of acts and provisions of law inconsistent herewith shall have no application to the election to be held under this act.

SECTION 4. This act shall be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed January 28, 1892.
7G

[House Bill No. 80.]

AN ACT

Making partial appropriations for the last three quarters of the fiscal year ending Nov. 15th, 1892, and the first quarter of the fiscal year ending Feb. 15th, 1893.

Partial appropriations.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following sums for the purposes hereinafter specified are appropriated out of any moneys in the treasury to the credit of the general revenue fund not otherwise appropriated, to-wit:

Adjutant-General's Department:

Salary of adjutant-general, two thousand dollars ($2,000).

Salary of assistant adjutant-general, fifteen hundred dollars ($1,500).

Salary of chief clerk, fourteen hundred dollars ($1,400).

Salary of assistant clerk, two hundred dollars ($200).

Salary of transcribing clerks, four thousand dollars ($4,000).

Salary of superintendent of state arsenal, ordnance clerk and book-keeper, fifteen hundred dollars ($1,500).

Contingent expenses and inspection, four hundred dollars ($400).

Care of military stores and freight on arms, three hundred dollars ($300).

State-House and Grounds:

Partial appropriations.

Salary of superintendent of laborers, nine hundred dollars ($900).
Salary of one engineer, one thousand dollars ($1,000).
Salary of two firemen, five hundred dollars ($500).
Salary of janitor of flag-room, seven hundred and twenty dollars ($720).
Salary of visitors' attendant, seven hundred and twenty dollars ($720).
Salary of day policeman, seven hundred and twenty dollars ($720).
Salary of night policeman, eight hundred dollars ($800).
Salary of four regular laborers, six hundred dollars ($600).
Extra labor, five hundred dollars ($500).
Material and repairs, five hundred dollars ($500).
Fuel for state-house, five hundred dollars ($500).
Care and repair of heating apparatus, three hundred dollars ($300).

Agriculture:

Contingent expenses of board, two hundred dollars ($200).
For the encouragement of agriculture, fifteen hundred dollars ($1,500).

Attorney-General:

Salary of attorney-general, fifteen hundred dollars ($1,500).
Salary of clerk, one thousand dollars ($1,000).
Contingent expenses, two hundred dollars ($200).
Fees on collections, five hundred dollars ($500).

Auditor of State:

Salary of auditor, three thousand dollars ($3,000).
Salary of chief clerk, two thousand dollars ($2,000).
Salary of book-keeper, sixteen hundred dollars ($1,600).
Salary of railroad and bank clerk, fifteen hundred dollars ($1,500).
Salary of land clerk, fifteen hundred dollars ($1,500).
Salary of canal and trust fund clerk, fourteen hundred dollars ($1,400).
Salary of statistical clerk, twelve hundred dollars ($1,200).
Salary of stenographer, eight hundred dollars ($800).
Contingent expenses, five hundred dollars ($500).

Board of Health:

General expenses of board, one thousand dollars ($1,000).

Board of Pardons:

Per diem of members, three thousand dollars ($3,000).
Salary of secretary, three hundred dollars ($300).

Board of Public Works:

Salaries of members twenty-four hundred dollars ($2,400).
Salaries of engineers, thirty-six hundred dollars ($3,600).

Board of State Charities:

Partial appropriations.

Expenses of board, six hundred dollars ($600).

Commissioner of Common Schools:

Salary of commissioner, two thousand dollars ($2 000).
Traveling expenses of commissioner, two hundred dollars ($200).
Salary of chief clerk, seventeen hundred and fifty dollars ($1,750).
Salary of second clerk, twelve hundred dollars ($1,200).
Contingent expenses, one hundred and fifty dollars ($150).
Boxing and shipping reports, one hundred dollars ($100).

Commissioner of Railroads and Telegraphs:

Salary of commissioner, two thousand dollars ($2,000).
Salary of chief clerk, twelve hundred dollars ($1,200).
Salary of assistant clerk, one thousand dollars ($1,000).
Experts to examine bridges, two hundred dollars ($200).
Contingent expenses, one hundred dollars ($100).
Expenses outside of office, one hundred dollars ($100).

Commissioner of Statistics of Labor:

Salary of commissioner, two thousand dollars ($2,000).
Clerk hire, five hundred dollars ($500).
Contingent expenses, four hundred dollars ($400).
Traveling expenses, one hundred dollars ($100).

Executive Department:

Salary of governor, eight thousand dollars ($8,000).
Salary of private secretary, eight hundred dollars ($800).
Salary of executive clerk, fifteen hundred dollars ($1,500).
Salary of stenographer, twelve hundred dollars ($1,200).
Salary of assistant executive clerk, twelve hundred dollars ($1,200).
Contingent expenses, clerk hire and newspapers, five hundred dollars ($500).
Salary of lieutenant-governor, eight hundred dollars ($800).
Repair and replacement of furniture, two hundred dollars ($200).

Inspector of Mines:

Salary of chief inspector, two thousand dollars ($2 000).
Salaries of district inspectors, six thousand dollars ($6,000).
Contingent expenses of mine inspectors, one thousand dollars ($1,000).
Clerk hire, two hundred dollars ($200).

Inspector of Workshops and Factories:

Salary of chief inspector, fifteen hundred dollars ($1,500).
Salaries of district inspectors, three thousand dollars ($3,000).

Traveling expenses of chief inspector, two hundred dollars ($200). Partial appropriations.

Traveling expenses of district inspectors, five hundred dollars ($500).

Contingent expenses, three hundred dollars ($300).

Clerk hire, three hundred dollars ($300).

Judiciary:

Salaries of supreme, circuit, superior and common pleas judges, three hundred and five thousand dollars ($305,000).

Law Library:

Salary of law librarian, fifteen hundred dollars ($1,500).

Salary of assistant law librarian, one thousand dollars ($1,000).

Contingent expenses, two hundred dollars ($200).

Books for law library, five hundred dollars ($500).

Legislature:

For salaries and mileage of members of the general assembly, per diem of clerks, sergeants-at-arms and employes, fifty thousand dollars ($50,000).

Expenses of legislative committee, fifteen hundred dollars ($1,500).

Penitentiary:

Per diem of managers, five thousand dollars ($5,000).

Salaries of officers, six thousand dollars ($6,000).

Salaries of guards, twenty thousand dollars ($20,000).

Current expenses, thirty thousand dollars ($30,000).

Manufacture of gas, four thousand dollars ($4,000).

Expenses attending executions, five hundred dollars ($500).

Ordinary repairs, two thousand dollars ($2,000).

Rewards to discharged convicts, five thousand dollars ($5,000).

Prosecution and transportation of convicts, twenty-five thousand dollars ($25,000).

Secretary of State:

Salary of secretary of state, two thousand dollars ($2,000).

Salary of chief clerk, two thousand dollars ($2,000).

Salary of statistical clerk, fifteen hundred dollars ($1,500).

Salary of stationery clerk, thirteen hundred and fifty dollars ($1,350).

Salary of recording clerk, thirteen hundred and fifty dollars ($1,350).

Salary of corporation clerk, thirteen hundred and fifty dollars ($1,350).

Salary of superintendent of book-room, one thousand dollars ($1,000).

Salary of stenographer, eight hundred dollars ($800).

Stationery, three thousand dollars ($3,000).

Distribution of books, four hundred dollars ($400).

Commissioners of Public Printing:

Partial appropriations.

Printing paper, fifteen thousand dollars ($15,000).

State Library:

Salary of state librarian, fifteen hundred dollars ($1,500).
Salary of assistant librarian, twelve hundred dollars ($1,200).
Salary of janitor, seven hundred and twenty dollars ($720).
Books, magazines and papers, five hundred dollars ($500).
Contingent expenses, one hundred dollars ($100).

Superintendent of Insurance:

Salary of superintendent, two thousand dollars ($2 000).
Salary of chief clerk, eighteen hundred dollars ($1,800).
Salary of examining clerk fifteen hundred dollars ($1,500).
Salary of book-keeper, fifteen hundred dollars ($1,500).
Salary of corresponding clerk, one thousand dollars ($1,000).
Salary of mailing clerk, eight hundred dollars ($800).
Salary of extra clerks, five hundred dollars ($500).
Contingent expenses, four hundred dollars ($400).

Supervisor of Public Printing:

Salary of supervisor, eighteen hundred dollars ($1,800).
State binding, eight thousand dollars ($8,000).
State printing, eight thousand dollars ($8,000).
Contingent expenses, one hundred dollars ($100).

Supreme Court:

Contingent expenses, three hundred dollars ($300).
Salary of janitor, eight hundred dollars ($800).

Clerk of Supreme Court:

Salary of the clerk of supreme court, fifteen hundred dollars ($1,500).
Salary of chief deputy, thirteen hundred dollars ($1,300).
Salary of second deputy, eleven hundred dollars ($1,100).
For extra clerk hire, two hundred dollars ($200).
Contingent expenses, one hundred dollars ($100).

Reporter of Supreme Court:

Salary of reporter, one thousand dollars ($1,000).
Contingent expenses, one hundred dollars ($100).

Treasurer of State:

Salary of treasurer, three thousand dollars ($3 000).
Salary of cashier, two thousand dollars ($2,000).
Salary of two book-keepers, twenty-seven hundred dollars ($2,700).
Salary of messenger and janitor, six hundred dollars ($600).

Salary of two night watchmen, sixteen hundred dollars ($1,600). Partial appropriations.

Collecting auditor of state's drafts, five hundred dollars ($500).

Athens Asylum for the Insane:

Current expenses, twenty-five thousand dollars ($25,000).
Ordinary repairs, twelve hundred dollars ($1,200).
Salaries of officers, fifteen hundred dollars ($1,500).

Cleveland Asylum for the Insane:

Current expenses, twenty-five thousand dollars ($25,000).
Salaries of officers, twelve hundred dollars ($1,200).
Ordinary repairs, one thousand dollars ($1,000).

Columbus Asylum for the Insane:

Current expenses, twenty-five thousand dollars ($25,000).
Salaries of officers, fifteen hundred dollars ($1,500).
Ordinary repairs, fifteen hundred dollars ($1,500).

Dayton Asylum for the Insane:

Current expenses, twenty thousand dollars ($20,000).
Salaries of officers, thirteen hundred dollars ($1,300).
Ordinary repairs, one thousand dollars ($1,000).

Toledo Asylum for the Insane:

Current expenses, twenty-five thousand dollars ($25,000).
Salaries of officers, fifteen hundred dollars ($1,500).
Ordinary repairs, one thousand dollars ($1,000).

Longview Asylum for the Insane:

Current expenses, twenty-five thousand dollars ($25,000).

This sum is for the support of the insane in said institution, and shall be paid into the county treasury of Hamilton county, monthly, as may be necessary in payment of the current expenses of said institution. Requisitions shall be made by the directors of said asylum upon the auditor of Hamilton county, and copies thereof furnished to the auditor of state, whereupon he shall issue his warrant upon the state treasurer in favor of the treasurer of Hamilton county for such amounts.

Boys' Industrial School:

Current expenses, seven thousand dollars ($7,000).

Salaries of officers and teachers, five thousand dollars ($5,000).

Expenses of trustees, one hundred dollars ($100).
Ordinary repairs, five hundred dollars ($500).

Girls' Industrial Home:

Current expenses, five thousand dollars ($5,000).

Salaries of officers and teachers, four thousand five hundred dollars ($4,500).

Expenses of trustees, two hundred dollars ($200).
Ordinary repairs, five hundred dollars ($500).

Ohio Institution for the Blind:

Partial appropriations.

Current expenses, eight thousand dollars ($8,000).

Salaries of officers and teachers, three thousand dollars ($3,000).

Ordinary repairs, four hundred dollars ($400).

Expenses of trustees, two hundred dollars ($200).

Institution for the Deaf and Dumb:

Current expenses, ten thousand dollars ($10,000).

Salaries of officers and teachers, five thousand dollars ($5,000).

Ordinary repairs, one thousand dollars ($1,000).

Salary of foreman of carpenter shop, five hundred dollars ($500).

Salary of foreman of shoe shop, seven hundred dollars ($700).

Salary of foreman of printing office, five hundred dollars ($500).

Salary of foreman of tailor shop, seven hundred dollars ($700).

Institution for Feeble-Minded Youth:

Current expenses, twenty thousand dollars ($20,000).

Ordinary repairs, one thousand dollars ($1,000).

Salaries of officers and teachers, three thousand dollars ($3,000).

Expenses of trustees, one hundred dollars ($100).

Ohio Soldiers' and Sailors' Home:

Current expenses, fifteen thousand dollars ($15,000).

Officers' salaries, three thousand dollars ($3,000).

Expenses of members of board, two hundred dollars ($200).

Ordinary repairs, five hundred dollars ($500).

For clothing, five thousand dollars ($5,000).

For improvement of grounds, one thousand dollars ($1,000).

Ohio Soldiers' and Sailors' Orphans' Home:

Current expenses, twenty thousand dollars ($20,000).

Salaries of officers and teachers, four thousand dollars ($4,000)

Expenses of trustees, one hundred dollars ($100).

Salaries of foremen and instructors of industrial pursuits, fifteen hundred dollars ($1,500).

Ordinary repairs, one thousand dollars ($1,000).

SECTION 2. The moneys appropriated in the preceding section shall not be in any way expended to pay liabilities or deficiencies existing prior to February 15, 1892, nor shall they be used or paid out for purposes other than those for which said sums are specifically appropriated as aforesaid.

SECTION 3. No bills for clerk hire, for furniture or carpets, or for newspapers shall be paid out of appropriations made for contingent expenses, no bills for horses or cows, car-

riages or wagons, carpets or furniture, or any expenses for officers attending state, inter-state or national associations of benevolent institutions, shall be paid out of appropriations made for the current expenses of said institution; and no money herein appropriated shall be drawn except on a requisition on the auditor of state, approved by the head of each department or the trustees of the institution, which shall set forth the service rendered or material furnished, and the date of purchase and the time of service, and it shall be the duty of the auditor of state to see that these provisions are complied with. Partial appropriations.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed February 2, 1892.
8G

[House Bill No. 78.]

AN ACT

To authorize county commissioners in counties having a population at the last federal census of 1890, and which at any succeeding census may have a population of 35,462, to issue bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners, in counties having a population at the federal census of 1890, and which at any succeeding census may have a population of 35,462, be and they are hereby authorized to issue the bonds of said counties in amount not to exceed thirty-five thousand dollars, with interest coupons attached thereto, interest payable semi-annually, and in sums not less than five hundred dollars nor greater than one thousand dollars, principal and interest payable at the office of the treasurer of said counties; said bonds to be due and payable at such times as said commissioners of said counties may in their discretion deem for the best interest of said counties; provided, that none of said bonds shall be due and payable at a longer period than seven years from the date of issue; said bonds to bear interest at a rate not exceeding five per cent. per annum; said bonds to be sold under the statute governing the advertising and sale of bonds, and shall not be sold for less than their par value and accrued interest, if any, and the proceeds thereof to be placed in the county treasury to the credit of the following named funds, to-wit: Fifteen thousand dollars to the credit of the county general fund, ten thousand dollars to the credit of the bridge fund and ten thousand dollars to the credit of the road fund, to cover deficiencies already existing in said funds, and to pay the interest and redeem the bonds heretofore issued and herein authorized to be issued by said county commissioners. Deficiency bonds (Erie county). Amount. Denomination. When payable. Interest. Sale. Proceeds.

Additional tax levy.

SECTION 2. That for the payment of the interest on and for the final redemption of said bonds herein authorized to be issued, and for the payment of interest on and for the final redemption of any other bonds of said counties heretofore issued, the commissioners of said counties are hereby authorized to levy taxes upon all taxable property in said counties, at a rate not to exceed one-half mill on the dollar, in addition to the levies now authorized by law, to create such a fund as may be found necessary to pay the deficiencies in the county funds, if any, and to pay the interest on and final redemption of any bonds of said counties as they become due and payable. Provided, that the tax levy hereby authorized shall not extend beyond seven years from the first day of January, A. D. 1893.

Rate.

Limitation.

Issue of bonds.

SECTION 3. The said bonds shall be issued and signed by said commissioners of said counties or a majority of the board, and countersigned by the county auditor, who shall keep and preserve a record of the bonds so issued, and said bonds shall be numbered consecutively and be made negotiable.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed February 4, 1892.
9G

[Senate Bill No. 54.]

AN ACT

Relative to making appropriations for the governor's inauguration.

Appropriation for inaugural expenses.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and is hereby appropriated from any money in the state treasury to the credit of the general revenue fund, not otherwise appropriated, the sum of two hundred and eighty-six dollars and twenty five cents ($286.25), for the expenses incurred in the inauguration of the governor-elect on the 11th day of January, 1892, to be paid out upon vouchers approved by the chairman of the joint committee having in charge the inauguration ceremonies.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed February 4, 1892.
10G

[Senate Bill No. 42.]

AN ACT

To amend section 1292 of the Revised Statutes of Ohio.

Salaries of officers:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 1292 of the Revised Statutes of Ohio be so amended as to read as follows:

Additional salaries Cuyahoga common pleas judges.

Sec. 1292. The judges of the court of common pleas residing in Cuyahoga county shall each, in addition to the salary now paid judges of the court of common pleas out of the state treasury, receive out of the treasury of Cuyahoga county twenty-five hundred dollars annually, to be paid them at the same time and in like manner as provided by law for the payment of the salaries of judges out of the state treasury.

Repeals.

SECTION 2. Said original section 1292 is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed February 9, 1892.
11G

[House Bill No. 1.]

AN ACT

To amend sections one, forty-one and sixty-three of an act entitled "An act supplemental to title XII of the Revised Statutes of Ohio, to provide a government for cities of the second class, third grade *a*, and to amend sections 1546, 1548, 1755, 1781, 1785, 1808, 2328, 2682, 2689*a*, 2690*a*, 2805, 2815 and 2926*l*, of the Revised Statutes," passed by the general assembly of the state of Ohio March 23d, 1891; and also to supplement sections 2380 and 2398, and to amend section 2805, as amended April 23d, 1891, of the Revised Statutes of Ohio; and to further provide for the government of cities of the second class, third grade *a*.

Municipal corporations:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections one, forty-one and sixty-three of an act entitled "An act supplemental to title XII of the Revised Statutes of Ohio, to provide a government for cities of the second class, third grade *a*, and to amend sections 1546, 1548, 1755, 1781, 1785, 1808. 2328, 2682, 2689*a*, 2690*a*, 2805, 2815 and 2926*l*, of the Revised Statutes," passed March 23d, 1891, by the general assembly of the state of Ohio, be and the same are hereby specifically amended so as to read as follows:

Sec. 1. That sections 1546, 1548, 1755, 1781, 1785, 1808, 2328, 2682, 2689*a*, 2690*a*, 2805, 2815 and 2926*l* of the Revised Statutes of Ohio be and the same are hereby specifically amended, and sections 1707 and 1718, Revised Statutes of

Ohio, are hereby supplemented with sectional numbering, respectively, 1707*e* and 1718*c*, as follows:

Classification, general.

Sec. 1546. Municipal corporations are divided into cities, villages and hamlets; cities are divided into two classes, first and second; cities of the first class are divided into three grades, first, second and third; cities of the second class are divided into five grades, first, second, third, third *a* and fourth; cities of the second class which hereafter become cities of the first class, shall constitute the fourth grade of the latter class; and villages which hereafter become cities shall belong to the fourth grade of the second class.

Cities of the second class:

Sec. 1548. Existing corporations, organized as cities of the second class, shall remain such until they become cities of the first class, and their grades, and the grades of those which may be or may become cities of the second class,

First grade.

shall be determined as follows: Those which, on the first day of July last, had, and those which, on the first day of July in any year, have, when ascertained in the way mentioned in the last section, more than thirty thousand five hundred and less than thirty-one thousand five hun-

Second grade.

dred inhabitants, shall constitute the first grade; those which, on the first day of July last, had, and those which, on the first day of July in any year, have, when ascertained in the same way, more than twenty thousand and less than thirty thousand five hundred inhabitants, shall constitute the

Third grade.

second grade; those which, on the first day of July last, had, and those which, on the first day of July in any year, have, when ascertained in the same way, more than ten thousand and less than twenty thousand in-

Third grade *a*.

habitants, shall constitute the third grade; those which, on the first day of July, 1890, had more than twenty-eight thousand and less than thirty-three thousand inhabitants, shall, on and after the passage of this act, constitute and be, and those which, on the first day of July in any year, have, when ascertained in the same way, more than twenty-eight thousand and less than thirty-three thousand inhab-

Fourth grade.

itants, shall constitute and be the third grade *a*; and those which, on the first day of July last, had, and those which hereafter, on the first day of July in any year, have less than ten thousand and more than five thousand inhabitants, shall constitute the fourth grade.

Officers of Springfield.

Sec. 1707*e*. The officers of a city of the second class, third grade *a*, shall consist of a mayor, city solicitor, a police judge, prosecuting attorney of the police court, and a clerk of the police court, all of which officers shall be chosen by its electors, and a clerk who shall be chosen by the council; pro-

Mayor ineligible for consecutive term.

vided, that a mayor elected in any city of the second class, third grade *a*, shall be ineligible to re-election to the office for a consecutive term.

Assessors in Springfield.

Sec. 1718*c*. In cities of the second class, third grade *a*, there shall be appointed by the board of tax commissioners, in April of each year, an assessor for each ward, who shall be an elector thereof, and shall take the same oath and give the

same bond, receive the same compensation, and perform the same duties as are provided in respect to township assessors.

Duties of clerk, etc.

Sec. 1755. The clerk shall attend all the meetings of the council and make a fair and accurate record of all its proceedings and of all rules, by-laws, resolutions and ordinances passed by council, and the same shall be subject to the inspection of all persons interested; and in case of his absence from any meeting, the council shall appoint one of its own number to perform his duties for the time; and in cities of the second class, third grade *a*, he shall also act as clerk of the board of public affairs, attend all of its meetings, and make an accurate record of all of its proceedings, and perform such other duties as may be required by said board.

Clerk pro tem.

Clerk of Springfield.

Compensation of city solicitor.

Sec. 1781. He shall receive such stated salary, payable quarterly out of the corporation treasury, and such fees or compensation for particular services, as the council may prescribe; and no additional counsel shall be appointed or employed at the expense of the corporation, except by a resolution of the council adopted for that purpose, specifying the case in which such additional attorney is employed, and the reasons therefor, and may fix the compensation to be paid; but in cities of the second class, third grade *a*, he shall receive a salary of eighteen hundred dollars per annum, and no additional fees or compensation, payable monthly out of the corporation treasury, and he shall be the attorney of all boards in the corporation; and in cities of the second class, third grade *a*, in addition to his duties provided by section 3977, Revised Statutes of Ohio, in relation to school boards and members and officers of school boards, he shall apply in the name of the school board to a court of competent jurisdiction for an order or injunction to restrain the misapplication of the public school funds or the abuse of the powers of said board or the execution or performance of any contract made in behalf of said board in contravention of the laws governing the same, or which was procured by fraud or corruption.

Additional counsel.

Salary of city solicitor of Springfield.

Duties.

Additional duties as counsel of school board.

Police court.

Sec. 1785. In cities of the first class, and in cities of the third grade, and third grade *a*, of the second class, there shall be a court held by the police judge, which court shall be styled the police court, and be a court of record.

Clerk of police court: bonds.

Salary in cities first class.

Additional compensation.

Salary in cities third grade and third grade *a*, second class.

Additional compensation.

Sec. 1808. He shall give such bonds, with sureties, as may be required by the council and county commissioners, and shall receive for his services, in cities of the first class, in city cases, a fixed salary to be prescribed by ordinance of the council, of not less than twelve hundred dollars nor more than two thousand dollars per year, and for state cases such further allowance as the county commissioners may deem proper, but not exceeding one thousand dollars per year, and in cities of the third grade, and third grade *a*, of the second class, in city cases, a fixed salary, to be prescribed by ordinance of the council, of not less than six hundred dollars nor more than one thousand dollars per year, and for state cases such further allowance as the county commissioners may deem proper, but not exceeding two hundred dollars per year.

Springfield board of public affairs: powers and duties of; general public improvements.

Sec. 41. The board shall have control of the construction, supervision, cleaning, repairing, grading and improving all streets, avenues, market-houses and spaces, bridges, sewers, drains, culverts, streams and water-courses, sidewalks, curbs and gutters, and the lighting of all such public places in the corporation as may be deemed necessary; it shall have authority to fix and establish the grading of all streets, avenues and alleys; it shall have supervision and control of the construction, use, repairing, cleaning, lighting, and heating of all public buildings, excepting library buildings, and of the construction of all public improvements of such city. It shall have the powers and perform the duties conferred and imposed upon the park commissioners by subdivision two of chapter six, division eight, title twelve of the Revised Statutes of Ohio; it shall have the powers and perform the duties conferred and imposed upon the trustees of cemeteries by chapter seven, division eight, title twelve of the Revised Statutes of Ohio; it shall have the power and perform the duties conferred upon council, as to public hall, by sections 2559, 2560, 2561, 2562, 2566 and 2567 of the Revised Statutes of Ohio; it shall have the powers and perform the duties conferred and imposed upon the platting commission by chapter twelve of the Revised Statutes of Ohio; it shall have the powers and perform the duties conferred and imposed upon the board of health by chapter one, division six, title twelve of the Revised Statutes of Ohio; it shall have the power and perform the duties conferred and imposed upon the board of hospital commissioners by chapter three, division six, title twelve of the Revised Statutes of Ohio; and it shall have the powers conferred upon municipal corporations by chapter two, division six, title twelve of the Revised Statutes of Ohio; and it shall have the powers and duties conferred and imposed upon the board of examiners of insecure and unsafe buildings by sections 2451, 2452 and 2453 of the Revised Statutes of Ohio; and it shall have the powers and perform the duties conferred and imposed upon the commissioners of sewers by title twelve, division seven, chapter four of the Revised Statutes of Ohio; and in such city there shall be no board of commissioners of sewers. The board shall appoint a city civil engineer to serve during the pleasure of the board, with compensation to be fixed by the board within limits prescribed by ordinance of council; he shall give bond in a sum to be fixed by the board and shall perform such duties as shall be prescribed by the board and by ordinance of council.

Grading of streets, avenues and alleys; public buildings and public improvements; parks.

Cemeteries.

Public halls.

Platting of lands, etc.

Public health.

Hospitals.

Nuisances.

Insecure and unsafe buildings.

Sewers.

City civil engineer; compensation.

Bond and duties.

Power to borrow money, etc.:

Sec. 63. That the following section be enacted as supplementary to section 2700 of the Revised Statutes of Ohio, with sectional numbering as follows:

Loans in anticipation of special funds, in Springfield.

Sec. 2700*a*. That in cities of the second class, third grade *a*, loans may be made by the corporation in anticipation of any of the special funds of the corporation or sewer districts thereof to raise which, taxes may be levied by the provisions of section 2683, Revised Statutes of Ohio, but no such loan shall be made during any fiscal year in anticipation of any such funds exceeding the amount of taxes and revenue from other sources, due and payable into the fund for the

Limitations.

fiscal year; and provided further, that no new loan in anticipation of any such special fund shall be made until the loan previously made in anticipation of such fund has been fully paid and canceled.

Assessments—sewers:

SECTION 2. That the following section be enacted as supplementary to section 2380, Revised Statutes of Ohio, with sectional numbering as follows:

Limit of assessment for construction of main sewers in Springfield.

Sec. 2380*a*. In cities of the second class, third grade *a*, the assessment shall not exceed the sum that would in the opinion of the council and board of public affairs of said city be required to construct an ordinary street sewer or drain of sufficient capacity to drain or sewer such lots or lands, and the excess of the cost over the assessment herein authorized shall be paid out of the sewer fund of the proper district where such city is divided into sewer districts. Such assessment, however, shall in no case exceed the sum of two dollars per front foot.

Assessments—sewers:

SECTION 3. That the following section be enacted as supplementary to section 2398, Revised Statutes of Ohio, with sectional numbering as follows:

Proceedings for construction of local sewers assessment of costs, etc., in Springfield.

Sec. 2398*a*. Proceedings for the establishment and construction of local sewers, as provided in the preceding section, and for the assessment and collection of the cost and expenses thereof, shall be as directed in the previous sections of this subdivision regulating the establishment and construction of local sewers and connection with main sewers, except that in cities of the second class, third grade *a*, where such cities are divided into sewer districts, the concurrent opinion of the council and the board of public affairs shall be final and conclusive as to the necessity for the construction of such branch or local sewers, and as to the benefit they confer upon the abutting or other property, and as to the amount and apportionment of the assessments for the construction of such branch or local sewers. Such assessment shall, in no case, however, exceed the sum of two dollars per front foot.

Limit of assessment.

Boards of equalization:

SECTION 4. That section 2805 of the Revised Statutes of Ohio, as amended April 23, 1891 (vol. 88, page 370), be and the same is hereby amended to read as follows:

Annual city board of equalization.

Sec. 2805. In each city of the first and second class there shall be an annual board for the equalization of the value of real and personal property, moneys and credits in such city, to be composed of the county auditor, and six citizens of such city appointed by the council thereof, except in cities of the second grade, first class, where the mayor of such cities shall make such appointments; the first appointments to be two for one year, two for two years and two for three years, except in cities in which such boards are already organized, when two shall be appointed for three years, and two shall be thereafter annually appointed for three years; and all vacancies shall be filled for the unexpired term; provided, that the provisions of this act shall not affect any person or persons heretofore appointed, and now in office, during the time for which they shall have been appointed; but in cities of the second class, third grade *a*, said six members shall be appointed

How constituted.

Cleveland.

Appointment.

Vacancies.

Present incumbents.

Springfield.

by the board of tax commissioners, and the appointment of said board shall be so made, and the vacancies shall be so filled that no more than three members thereof shall be of the same political party, faith and allegiance, the first appointments to be two for one year, two for two years, and two for three years, and all the vacancies shall be filled for the unexpired term from persons of the same political faith as those whose term shall have expired. Said board shall have all the powers, and be governed by the rules, provisions, and limitations prescribed in the next preceding section for the annual county board; each member of said board is authorized to administer oaths, and said board is empowered to call persons before them, and examine them, under oath, in regard to their own or others' property, moneys, credits, and investments, and the value thereof, and to equalize the value of real and personal property, moneys, credits and investments within such city, and to order any property, credit or investment to be placed on the duplicate for taxation, and fix the value thereof, according to law, which has not been listed for taxation, and to increase the value of such property, moneys, credits, and investments, as have, in their judgment, been listed at less than their true value in money, and to reduce the value of such property, moneys, credits, or investments as have been appraised above their true value in money, and shall annually meet at the office of the county auditor on the fourth Monday in May, except in cities of the first and second grade of the first class, when it shall meet on the fourth Monday in May, and shall close its session on or before the second Monday of September; except that in cities of the third grade of the first class, and in cities of the first and second grades of the second class, and in cities of the second class, third grade *a*, and cities having a population of twenty thousand and over by the last federal census, and which have not been by ordinance advanced to a city of the second grade of the second class, said board shall close its session on or before the first Monday of August; and in cities of the third and fourth grades of the second class, said board shall close its session on or before the fourth Monday of June then next following. For each day necessarily employed in the performance of their duties, the members of said board shall each receive in cities of the first class, and in the first and second grades of the second class, and in cities of the second class, third grade *a*, and in cities having a population of twenty thousand and over, ascertained as aforesaid, and which have not been advanced to a city of the second grade of the second class, the sum of five dollars per day, and in cities of the third and fourth grades of the second class, the sum of three dollars per day, and in cities of the third and fourth grades of the second class, not county seats, the members of such board shall receive, in addition to the sum of three dollars per day, ten cents per mile traveling expenses going to the said county seat; and in cities of the first class, first grade, the auditor shall receive no compensation as a member of the board, but the board may appoint all necessary messengers and clerks, not exceeding six of each, who shall

Powers; rules governing.

Power to administer oaths and examine witnesses.

Equalizing values.

Listing property omitted.

Increasing values.

Reducing values.

Annual meetings. Cincinnati and Cleveland.

Close of sessions.

Toledo, Columbus, Dayton, Springfield, Akron, Canton. Youngstown and Zanesville.

Cities third and fourth grades, second class.

Compensation in Cincinnati, Cleveland, Toledo, Columbus, Dayton, Springfield, Akron, Canton, Youngstown and Zanesville.

Cities third and fourth grades, second class; mileage.

Cincinnati: county auditor's compensation; messengers and clerks; compensation.

receive three dollars per day for their services, for the time actually employed, which shall be paid out of the county treasury. The county auditor may act by his deputy or chief clerk in all city boards of equalization, and, in addition to the clerks herein authorized, the auditor of the county having a city of the first grade of the first class shall appoint a clerk, who shall be styled the chief clerk of the board of equalization, at a salary of five dollars for each day's services performed; and such boards shall each have the same powers as are conferred upon annual county boards by the next preceding section, and upon complaint of the presiding officer thereof to the probate judge, the same proceedings shall be had against persons notified and neglecting or refusing to appear before them, or refusing to swear, or answer questions, as is provided in section two thousand seven hundred and eighty-three; and county solicitors, or, where there is no such office, the prosecuting attorney of the county shall act as the legal adviser and attorney for the county board, and the city solicitor of the city board of equalization; provided, however, that this act shall not be deemed to supersede or in any manner affect section two of an act entitled "An act supplementary to and amendatory of title XII of the Revised Statutes of Ohio," passed March 26, 1891.

Deputy of county auditor; chief clerk of board in Cincinnati; salary.

Proceedings when person notified fails to appear before board, etc.

Legal adviser and attorney for county and city boards.

Powers and duties of board vested in board of review, in Cincinnati.

SECTION 5. In cities of the second class, third grade *a*, the provisions of section 2702, of the Revised Statutes of Ohio, shall not be held applicable in case of the improvement of public streets, alleys, avenues or spaces, or in the construction of sewers, sidewalks, curbs or gutters, where the whole or any part of the cost of such improvement is to be assessed upon the abutting or other benefited lots and lands in such cities.

Improvements where assessments are levied, in Springfield.

SECTION 6. In cities of the second class, third grade *a*, the provisions of section 2702, Revised Statutes, shall not be held to apply to any of the improvements enumerated in section 5 of this act which are now either contracted for or are now in process of construction.

Improvements contracted for, etc., in Springfield.

SECTION 7. That sections one, forty-one, sixty-three and sixty-four of an act entitled "An act supplemental to title 12, of the Revised Statutes of Ohio, to provide a government for cities of the second class, third grade *a*, and to amend sections 1546, 1548, 1755, 1781, 1785, 1808, 2328, 2682, 2689*a*, 2690*a*, 2805, 2815 and 2926*t*, of the Revised Statutes," passed by the general assembly of the state of Ohio March 23, 1891, and section 2805 of the Revised Statutes, as amended April 23, 1891, be and the same are hereby repealed.

Repeals.

SECTION 8. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed February 10, 1892.

12G

[House Bill No. 220.]

AN ACT

Supplementary to an act entitled "An act to authorize the several counties of the state to raise money to secure the location of the Ohio agricultural experiment station, and to provide for such location," passed April 23d, 1891 (O. L., vol. 88, p. 353).

Appropriation for Ohio agricultural experiment station.

SECTION 1. *Be it enacted by the General Assemb'y of the State of Ohio*, That any funds paid into the state treasury under and by virtue of an act entitled "An act to authorize the several counties of the state to raise money to secure the location of the Ohio agricultural experiment station and to provide for such location," passed April 23d, 1891 (O. L., vol. 88, p. 353), shall be held and deemed to be and hereby are appropriated for the purpose for which donated, and shall be paid out by the state treasurer on warrants of the state auditor drawn upon duly authenticated requisitions of the board of control of the Ohio agricultural experiment station, such requisitions to be accompanied with vouchers showing the purposes for which the requisitions are drawn.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed February 10, 1892.
13G

[House Bill No. 101.]

AN ACT

Providing for village boards of improvement in villages which at the last federal census had, or which at any subsequent federal census may have a population of not less than three thousand four hundred, nor greater than three thousand four hundred and fifty, and prescribing the duties and authority of such boards.

Village board of improvement (Ravenna).

SECTION 1. *Be it enacted by the General Assemb'y of the State of Ohio*, That the mayor, by and with the consent of the council in any village in Ohio, which at the last federal census had, or which at any subsequent federal census may have a population of not less than three thousand four hundred nor greater than three thousand four hundred and fifty, shall appoint within five days after the passage of this act, six electors of such village, to be styled "the village board of improvement," not more than three of whom shall belong to the same political party. Said board shall serve without pay, and until all the funds which shall come into its possession shall have been expended. All vacancies, however, occurring in said board, shall be filled by the mayor, with a like consent of council, the non-political character of the same being preserved, and any member of the board may be removed for cause by the mayor.

Compensation and term.

Vacancies.

Removals.

SECTION 2. Said board when so appointed shall forthwith organize by electing from their number a president, secretary and treasurer and shall prescribe rules and regulations for the board and its officers. Organization; rules and regulations.

SECTION 3. Said board when duly organized as above provided, may expend the whole or any part of any funds coming to its possession by gift, bequest or otherwise for the purchase and improvement of real estate for park and other purposes, for the benefit of said village. Said board is also further empowered to sell at public or private sale for such price, and on such terms of credit as it may see fit, and convey to purchasers so much of the present or hereafter acquired real estate as said board shall secure by gift, bequest, purchase or otherwise, and may lease for such time, and upon such terms as it may see fit, either the whole or any part of such real estate. Said bonds [board] may also pay any necessary expenses properly pertaining to the business herein provided for. Purchase of real estate for park, etc. Sale or lease of real estate. Expenses.

SECTION 4. It shall require a two-thirds affimative vote of all members of said board to purchase, sell, lease, improve or incumber any real estate for the purposes herein provided. Affirmative vote.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed February 12, 1892.
14G

[House Bill No. 186.]

AN ACT

For the benefit of Mrs. Henry P. Camp.

SECTION 1. *Be it enacted by the General Assemb'y of the State of Ohio*, That the sum of six hundred dollars be and the same is hereby appropriated and allowed to Mrs. Henry P. Camp, widow of Hon. Henry P. Camp, the late member of the house, who died on the 19th day of January, 1892, the same being the amount which would have been due the said Hon. Henry P. Camp, for one year's services as member of this house, and that the same be paid from any money in the treasury to the credit of the legislative fund for salaries of members. Appropriation for Mrs. Henry P. Camp.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed February 12, 1892.
15G

[House Bill No. 55.]

AN ACT

To amend section 6968 of the Revised Statues of Ohio, as amended March 3, 1891.

Offenses against public policy:

Unlawful catching of fish in Lake Erie and Sandusky, Maumee and Portage bays.

Gill-net.

Reefs in Lake Erie.

Portable fish-net in Lake Erie.

Mouth of stream flowing into Lake Erie.

Mercer county reservoir.

Lewistown reservoir.

Net fishing in Mercer county and Lewistown reservoirs.

Shooting or spearing fish.

Streams flowing into Lake Erie.

Trammel-net, fyke-net and set-net.

Hook and line, with bait or lure.

Confiscation and sale of devices used unlawfully.

Application of proceeds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 6968 of the Revised Statutes, as amended March 3, 1891, be so amended as to read as follows:

Sec. 6968. No person shall draw, set, place, locate or maintain any pound-net, seine, trap or fish-net in Lake Erie, nor in Sandusky bay, nor in Maumee bay as far up as Maumee bridge, nor in Portage bay as far up as Oak Harbor bridge, from the fifteenth day of June to the tenth day of September, inclusive. No person shall set, place, locate or maintain, or catch fish with a gill-net in any of the waters of the state, except in Lake Erie. No person shall set, place, locate or maintain any fish-net on any of the reefs in Lake Erie. No person shall set, place, locate or maintain in Lake Erie any portable fish-net within one-half mile of any stationary fish-net or lead thereof. No person shall set, place, locate or maintain any net whatever within one-half mile of the mouth of any river or creek flowing into Lake Erie. No person shall catch fish in Mercer county reservoir between the twentieth day of May and the twentieth day of July, inclusive, or in the Lewistown reservoir between the first day of June and the first day of October, inclusive, with any device except hook and line, with bait or lure; and in the season in which net fishing is permitted in the said Mercer county and Lewistown reservoirs, the net known as fyke-net or set-net only shall be used, and with hoop or mouth of not over six feet in its greatest width, and with wings or leads of not over fifty feet in length; and said nets shall not be set closer to each other than 100 feet and when nets may be used having wings or leads the outer ends of such wings or leads shall not be closer to each other than 100 feet. No person shall in any of the waters, either natural or artificial, lying in the state of Ohio, or part therein, shoot or spear fish, except in streams flowing into the waters of Lake Erie persons may catch fish of the sucker variety known as suckers, mullet and red-horse with a spear. No person shall draw, set, place, locate or maintain or catch fish with a device called a trammel-net or with fyke-net or set-net except as heretofore stated. No person shall, in any of the waters of the state, except those heretofore named in this section, catch fish with any device whatever, except hook and line, with bait or lure. No person shall draw, set, place, locate or maintain any fish-trap, pound-net, seine or any device for catching fish as in this section forbidden; and any nets, seines, pound-nets or other devices for catching fish, set, placed, located or maintained in violation of the provisions of this section, shall be confiscated wherever found, and the same shall be sold to the highest bidder, at public outcry, at a place to be selected by the fish commissioners, and the proceeds derived from such sale shall be placed to the credit of the fish and game fund, and subject

to the warrant of such commissioners. No person shall catch or have in his position [possession] any black bass of less than eight inches in length; buy, sell or offer for sale or have in his possession any fish caught out of season, or in any manner prohibited; provided, that nothing in this act shall prevent the taking of minnows for bait with nets, or shall prevent the fish and game commissioners of this state, or their agents, from taking fish at any time or place, in any manner, for the purpose of stocking ponds, lakes and rivers, and for the maintenance and cultivation of fish in hatcheries. Any person convicted of a violation of any of the provisions of this act shall be fined for the first offense not less than twenty-five dollars nor more than one hundred dollars, and in case of neglect or refusal to pay said fine be imprisoned in the county jail not less than thirty days; and for the second or any subsequent violation of this act, shall be fined not less than fifty dollars nor more than five hundred dollars, and in default of payment of fine and costs shall be imprisoned in the county jail not less than sixty days; and all fines collected under this act shall go to the county fish and game fund in the county wherein the offense was committed, unless otherwise directed and ordered by the fish and game commissioners of this state. And it is hereby made the duty of the wardens and assistant wardens of this state to prosecute all violations of this act in connection with the prosecuting attorneys of the counties wherein such offense shall have been committed, and such prosecuting attorney shall be entitled to the same fees as are now allowed by law for the collection of forfeited bonds. Provided, that nothing in this act shall apply to artificial fish ponds; or be so construed as to prevent persons to gig or spear fish in the backwaters of the Ohio or in its tributary streams.

Black bass.

Buying, selling, etc., fish unlawfully caught; minnows for bait.

Stocking ponds, lakes and rivers; hatcheries.

Penalty for first violation.

Subsequent violations.

Disposition of fines collected.

Prosecutions.

Fees of prosecuting attorney.

Artificial fish ponds; Ohio river and its tributaries.

SECTION 2. That said original section 6968, as amended March 3, 1891, be and the same is hereby repealed; and this act shall take effect on its passage.

Repeals, etc.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed February 17, 1892.

16G

[House Bill No. 150.]

AN ACT

Making appropriation for the Ohio state university.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That there is appropriated out of any moneys in the state treasury, not otherwise appropriated, to the credit of the "Ohio state university fund" the sum of eighty-four thousand two hundred dollars ($84.200.00) for the uses and purposes of the Ohio state university according to the provisions

Appropriation for Ohio state university.

of section 3951 of the Revised Statutes, as amended March 20, 1891 (88 O. L., p. 159).

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed February 17, 1892.
17G

[House Bill No. 153.]

AN ACT

To provide for a deficiency caused by the publication of lists of cities and villages entitled to be advanced under the federal census of 1890.

Appropriation for publication of list of cities and villages entitled to advancement.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and is hereby appropriated out of any money in the treasury to the credit of the general revenue fund not otherwise appropriated, the sum of two hundred and forty six dollars and eighty-seven cents ($246.87), to pay for the publication of lists of cities and villages entitled to be advanced under the federal census of 1890, in accordance with section 1618 of the Revised Statutes of Ohio. The same shall be paid upon the warrant of auditor of state, upon vouchers approved by the supervisor of public printing.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed February 17, 1892.
18G

[House Bill No. 164.]

AN ACT

To authorize certain cities herein designated to issue bonds for the purpose of aiding, encouraging and maintaining manufacturing establishments in said cities.

Bonds authorized in aid of manufacturing establishments (Fremont).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of any city of the fourth grade of the second class, which at the federal census of 1890 had, and at any subsequent census may have, a population of seven thousand one hundred and forty-one (7,141), be and the same is hereby authorized and empowered to issue the bonds of such city in any sum not exceeding thirty-five thousand dollars ($35 000), in denominations not exceeding one thousand dollars each, bearing interest not exceeding six per cent. per

Amount.
Denomination.
Interest.

annum, payable semi-annually and payable after five years and not exceeding twenty years from the date of their issue, as the council of said city may determine. Said bonds shall be sold at not less than their par value, and in all respects not herein provided for, in accordance with the provisions of section 2709 of the Revised Statutes of Ohio. When payable. Sale.

SECTION 2. The proceeds arising from the sale of said bonds, or any portion of them, shall be expended for the purpose of aiding and maintaining manufacturing establishments in any such city which are located therein. Manufactories.

SECTION 3. Before the bonds herein provided for shall be issued, the question of issuing the same, or any portion of them, shall be submitted to a vote of the qualified electors of such city, within thirty days after the passage of this act, at the usual places of voting in such city and at said [such] time as the council of said city may appoint, to determine the question of issuing said bonds. The tickets to be voted at such election shall have printed or written thereon, "Authority to issue bonds—Yes;" "Authority to issue bonds – No." If the proposition to issue bonds be approved by two-thirds or more of those voting thereon at such election, then said council shall at once issue and sell said bonds for the purpose named, and as provided in this act; notice of such election shall be published in four newspapers published and circulating in said city, for not less than ten days prior to such election, which shall, in all respects not herein provided for, be managed and conducted as other municipal elections are, or may be required by law to be managed and conducted in any such city. Special election. Ballot. Issue conditional. Notice and conduct of election.

SECTION 4. To pay the principal and interest of any of said bonds as the same shall become due, said city council is hereby authorized and empowered to levy a sufficient tax on all taxable property of said city, in addition to all other taxes authorized by law. Said taxes shall be levied and collected as other taxes in said city. Additional tax levy.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed February 17, 1892.
19G

[House Bill No. 176]

AN ACT

To authorize certain villages to borrow a sum not exceeding $10,000 for general purposes and to issue bonds therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of any village which contained at the last federal census, or which shall hereafter contain a population of not less than one thousand three hundred and General purpose bonds (Norwood).

seventy and not more than one thousand four hundred, in counties containing cities of the first grade of the first class, be and said council is hereby authorized to borrow a sum of money not exceeding ten thousand dollars ($10,000), at a rate of interest not to exceed six (6) per centum, payable semi-annually, for general purposes and to pay existing indebtedness against the general revenue fund of said village.

Amount.
Interest.
Application of funds.

Bonds.
Amount; denomination; when payable.

SECTION 2. For the purpose of paying said loan, such village is hereby empowered to issue its bonds for the aggregate amount borrowed, in such denominations and payable at such time, within five years from the date of issue, as the council may determine.

Additional tax levy.

SECTION 3. Said council shall annually thereafter cause the necessary taxes to be levied, in addition to those now authorized by law, to pay the principal and interest on said bonds, as the same shall become due, in the manner already provided for levying and collecting taxes for municipal purposes.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed February 17, 1892.
20G

[House Bill No. 180.]

AN ACT

Making appropriation for support of common schools.

Appropriation for common schools.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and is hereby appropriated from any moneys raised or coming into the state treasury, for the support of common schools, the sum of one million seven hundred and one thousand and eighty-five ($1,701,085) dollars, or so much as may come into the treasury for that purpose, to be distributed and paid in manner provided by law, agreeable to section 3956 of the Revised Statutes.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed February 17, 1892.
21G

[Senate Bill No. 40.]

AN ACT

To provide for the division of precincts other than in cities of the first, third and fourth grades of the first class, and in cities of the second class.

Conduct of elections:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 20 of an act entitled "An act to provide for the mode of conducting elections, to insure the secrecy of the ballot, and prevent fraud and intimidation at the polls, and to repeal certain statutes therein named," be and is hereby amended to read as follows:

Division of precincts.

Sec. 20. When 500 votes or more have been cast at the last preceding election in any precinct, the county board of elections may, or when a majority of the voters of any precinct petition therefor, shall give ten days' notice at least thirty days prior to an election, by publication in two leading papers of opposite politics published in the county, that the same is to be divided into two or more precincts, on a day named in said notice. On said day, or some subsequent day to which the matter may be adjourned by the board, the matter of dividing the precinct as near equally in votes as possible shall be heard, considered and determined by the board, and if said board can not agree, the question shall be submitted to the probate judge, upon a written statement of such disagreement, signed by at least two members of the board, who shall forthwith determine the same. Provided, that if any precinct shall have already been divided under the provisions of this said original act contrary to the desires of a majority of the voters of said precinct, [that] said precinct may be restored to its original condition in the same manner as provided above for its division; and also provided that nothing in this section contained shall be construed to affect the powers and duties of city boards of elections, in reference to the division of election precincts within such cities, as provided in section 2926 of the Revised Statutes.

Restoration of divided precinct.

City election precincts.

Repeals, etc.

SECTION 2. That said section 20 of the act passed April 30, 1891, be and the same is hereby repealed. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed February 18, 1892.
22G

[Senate Bill No. 69.]

AN ACT

To provide for the appointment of directors or trustees of universities supported in whole or in part by public taxation in cities of the first class.

Directors or trustees of universities

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in cities of the first grade of the first class all va-

supported by taxation (Cincinnati).

cancies in the board of directors or trustees of universities supported in whole or in part by public taxation upon the property of such city, shall be filled by appointment by the judge or judges of the superior court of such cities where the same have [such] a court; otherwise by the judge or judges of the common pleas court of the county in which such cities are located.

Inconsistent acts.

SECTION 2. That all acts and parts of acts inconsistent with this act are hereby declared void as to such inconsistency but not otherwise.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ELBERT L. LAMPSON.
President pro tem. of the Senate.

Passed February 18, 1892.
23G

[House Bill No. 179.]

AN ACT

To authorize cities of the first grade of the second class to issue bonds for sewer purposes.

Main trunk sewer bonds (Columbus).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That cities of the first grade of the second class be and they are hereby authorized and empowered to issue the bonds of such cities in an amount not exceeding twenty-five thousand dollars ($25.000 00), for the purpose of paying the cost and expense of constructing main trunk sewers. Said bonds shall be issued whenever the city councils of such cities may determine that they are necessary for such purpose, and in denominations of one thousand dollars ($1 000.00) each, and shall be payable at any time not exceeding three (3) years from their date. All of said bonds shall bear such rate of interest not exceeding six (6) per centum per annum, payable semi-annually, as the city councils of the respective cities issuing them may determine; and said bonds shall in all respects be made and disposed of as provided by law.

Amount.

When to be issued.

Denomination; when payable.

Interest.

Making and disposal of.

Additional tax levy.

SECTION 2. The city councils of the cities which avail themselves of the provisions of this act are hereby authorized to, and shall levy annually upon all the taxable property in such cities, a tax sufficient in rate and amount to pay the accruing interest on such bonds and to provide a sinking fund to pay said bonds at maturity, and such levy may be additional in rate and amount to the taxes authorized by law to be levied for any and all other purposes.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed February 18, 1892.
24G

[House Bill No. 224.]

AN ACT

Making appropriations to pay the principal and interest on the public debt, and interest on the irreducible debt, and expenses of the sinking fund commissioners.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and is hereby appropriated from any money that may be in the treasury, or that may come into the treasury, belonging to the sinking fund, the following sums for the purposes herein named: For payment of the principal of the funded debt, due July 1, 1892, seventy-nine thousand one hundred and fifty-eight dollars and sixty-seven cents ($79,158.67). For payment of interest on the funded debt, forty thousand eight hundred and fifty dollars ($40,850.00), or so much thereof as may be necessary to pay the interest falling due July 1, 1892, and January 1, 1893. For the interest on the irreducible debt of the state, which constitutes the school, ministerial, indemnity fund, Ohio university and Ohio state university, one hundred and seventy-five thousand dollars ($175,000.00). For the expenses of the commissioners in paying the loan and interest due July 1, 1892, and January 1, 1893, six hundred dollars ($600.00). For payment of the expenses of the commissioners of the sinking fund, including salary of clerk, fifteen hundred dollars ($1,500.00). For carpets, painting and repairs, two hundred dollars ($200.00).

Appropriations:

Principal of funded debt.

Interest on funded debt.

Interest on irreducible debt.

Expenses commissioners sinking fund.

Salary of clerk.

Carpets, painting and repairs.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed February 18, 1892.
25G

[Senate Bill No. 73.]

AN ACT

To authorize the village council of any village which had at the last federal census, or which at any subsequent federal census may have a population of not less than three thousand four hundred, nor greater than three thousand four hundred and fifty, to transfer funds arising from the sale of bonds for park purposes.

Transfer of funds (Ravenna).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the village council of any village which had at the last federal census, or which at any subsequent federal census may have a population of not less than three thousand four hundred, nor greater than three thousand four hundred and fifty, be and said council is hereby authorized by resolution of said council to transfer any funds arising from the sale of bonds for park purposes, when not required for park purposes, to the village "board of improvement," when such board shall have been appointed or otherwise legally provided for.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed February 19, 1892.
26G

[House Bill No. 9.]

AN ACT

To amend section 1655*a* of the Revised Statutes of Ohio.

Municipal corporations:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 1655*a*, of title 12, of the Revised Statutes of Ohio, be and the same is hereby amended as follows:

Cincinnati board of legislation.
Board of council abolished.
How board of legislation constituted.
Election; term.
First election.
Prior elections.
Subsequent elections.

Sec. 1655*a*. In cities of the first grade of the first class the legislative power and authority shall be vested in a board of legislation. On the election and qualification of the board of legislation in such cities as herein provided, the board of council therein is hereby abolished. The board of legislation shall consist of as many members as there are wards in any such city, composed of one member from each ward of such city, to be chosen at the annual municipal election by the qualified electors thereof, for a term of two years; provided, however, that at the first election held under the provisions of this act the members of said board representing the even wards of such city shall be elected for a term of one year, and those representing the odd wards thereof shall be elected for a term of two years, provided that nothing herein contained shall affect the terms of members of boards of legislation heretofore elected, and thereafter at the expiration of said terms

all elections to such board shall be for a period of two years. Every member of such board shall be not less than twenty-five years of age, and shall have been a citizen of the state for four years, and a resident of such city and ward for one year next preceding the date of his election. No member of said board shall be directly or indirectly interested in any contract with such city or any department or institution thereof, nor shall any such member during the term for which he is elected hold any other public office, appointment or employment except that of notary public or member of the state militia. Any member who shall at any time during his term cease to possess any of the qualifications mentioned in this section shall thereby forfeit his office, and the same shall immediately become vacant and be filled as hereinafter provided. Such vacancies shall be declared by the board, and in case the board shall fail for a period of ten days to declare such vacancy the mayor is hereby authorized and required to do so. All vacancies which may occur in the board of legislation from any cause whatsoever shall be filled for the unexpired term by election by a majority of all the members elected thereto. The members shall, within ten days after each annual municipal election, meet and organize the board, and the mayor, or in his absence the clerk, shall call to order the members elected and the members holding over. A majority of the members shall constitute a quorum for the transaction of business, but a smaller number may adjourn from time to time and compel the attendance of absent members. The board shall annually, elect a president and vice-president from its own body, and shall, at the expiration of the term of the city clerk, also elect a city clerk, who shall be the clerk of the board, and shall serve as hereinafter provided; but the board shall not have power to choose, select or appoint any other officer or employe whatsoever. The president shall, biannually, as soon as the board has organized, appoint a sergeant-at-arms, who shall perform the duties belonging to such office until his successor is appointed. The board shall determine the rules of its proceedings, be the sole judge of the qualifications of its members, keep a journal of its proceedings, and may punish or expel any member for disorderly conduct or violation of its rules, or declare his seat vacant by reason of absence without valid excuse, where such absence is continued for the space of two successive months; but no expulsion shall take place except by a vote of two-thirds of all the members elected, nor until the delinquent member shall have an opportunity of being heard in his defense. At any meeting of the board any member shall have the right to call for the ayes and nays on any question before the board, including the motion for adjournment The board shall assemble in the legislative chamber in regular meetings once a [each] week, on such days as it may select. The mayor or any three members may call special meetings of the board by notice to each member, served personally or left at his usual place of residence or business. No meeting of the board shall begin before six o'clock p. m., unless it shall be otherwise provided by a vote of at least three-fourths of all the

Qualifications for membership.

Contracts with city.

Offices, etc., for which members eligible.

Forfeiture of office.

Declaration of vacancies.

Filling of vacancies.

Organization.

Quorum.

Smaller number; absentees.

President and vice-president.

City clerk.

Power to appoint, etc., limited.

Sergeant-at-arms.

Rules of proceedings; qualifications of members; journal; punishment or expulsion of members; absence without valid excuse; how expulsion effected.

Ayes and nays.

Regular meetings.

Special meetings.

Hour for meeting.

Compensation of members.

members elected to the board. Each member of the board who is present during the entire session of any regular meeting, and not otherwise, shall be entitled to receive ten dollars for his attendance, and shall receive no other compensation whatsoever.

Vote necessary to pass ordinance, etc.

When ayes and nays required.

The votes of a majority of all the members elected to the board shall be necessary to pass any ordinance, resolution or order; and the vote on every ordinance, resolution or order relating to the expenditure of money, or for granting a franchise or creating a right, or for the purchase, lease, sale or transfer of property, shall be taken by an aye and nay vote and entered in the journal of the board.

Readings.

Every such ordinance, resolution and order shall be distinctly read at three regular meetings before such vote is taken, and said board shall have no power to dispense with any of such readings, and every such ordinance, resolution and order shall, before it takes effect, be presented, duly certified by the clerk, to the mayor of the city for approval.

Presentation to mayor.

Mayor's approval.

The mayor, if he approves such ordinance, resolution or order, shall sign it; but if he does not approve it he shall return it with his objection to the board within ten days thereafter, or if the board is not in session at its next meeting thereafter, which objection the board shall cause to be entered in full on its journal; provided, that the mayor may approve the whole or any item or part of any such ordinance, resolution or order presented to him for his signature; and provided, further, that any item or part disapproved shall have no bearing or connection with any other part of such ordinance, resolution or order. If he does not return the same in the time above limited, it shall take effect in the same manner as if he had signed it. When the mayor refuses to sign any such ordinance, resolution or order, or part thereof, and returns it to the board with his objections, the board shall, after the expiration of not less than ten days, proceed to again consider the same; and if such ordinance, resolution or order is approved by the votes of four-fifths of all the members elected to the board, it shall then take effect as if it had received the signature of the mayor. In all such cases the vote of the board shall be determined by ayes and nays, and the names of the persons voting for or against the adoption of any such ordinance, resolution or order shall be entered in the journal of the board.

Return to board when vetoed.

Approval of the whole or any item, etc.

Item or part disapproved.

Failure to return in time limited.

Reconsideration by board.

Passage over mayor's veto.

Ayes and nays; record of vote.

Repeals, etc.

SECTION 2. Section 1655*a*, as passed March 26, 1891, is hereby repealed, and this act shall take effect from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.

ANDREW L. HARRIS,
President of the Senate.

Passed February 19, 1892.

27G

[House Bill No. 35.]

AN ACT

Providing for the redistricting of cities of the second grade of the second class.

Dayton redistricting commission.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in any city of the second grade of the second class, the clerk of the court of common pleas of the county in which such city is located shall, within thirty days after the passage of this act, appoint a commission of five citizens, electors of said city, not more than three of whom shall belong to the same political party, whose duty it shall be to redistrict such city into wards composed as far as practicable of adjacent territory, and bounded as far as possible by streets, lanes, alleys, avenues, highways, watercourses, corporation lines and railroads.

Wards.

Boundaries.

Oath of members.

SECTION 2. The members of such commission shall, as soon as possible after their appointment, be sworn to faithfully and honestly perform their duties and shall thereupon proceed to the discharge of the same. The wards formed by the commission shall be numbered consecutively from one upwards. Three members of such commission shall constitute a quorum for the transaction of business.

Numbering of wards.

Quorum.

Maps and descriptions of wards.

Filing of copies.

SECTION 3. The members of such commission or a majority of them shall cause maps and descriptions of the wards as finally fixed to be made, and shall certify and file one copy thereof with the mayor, one copy with the city clerk and one copy with the board of elections of such city.

Assistants and expenses.

Compensation of commissioners.

SECTION 4. Said commission is authorized to employ such assistants as it may need and to incur such other expenses as may be necessary to the discharge of their duties, and the commissioners shall each receive five dollars per day for their services while in the actual performance of their duties. The compensation of the assistants so employed, the amount of such expenses and the compensation of the members of such commission shall be paid out of the city treasury of such city upon warrants of the proper officers, which shall be drawn upon the requisition of the commission or a majority thereof.

Payment of compensation and expenses.

Preservation of election precincts.

SECTION 5. When, in such redistricting, one or more entire election precincts as they existed at the next previous election before such redistricting, shall without change of the precinct boundaries be embodied in any ward or wards, they shall be preserved and shall constitute election precincts in the new wards for the next ensuing election; and only such registration shall be required in such precincts as would have been required by law had such redistricting not taken place.

Registration.

Formation of new election precincts.

SECTION 6. Where part only of an election precinct as aforesaid is incorporated into a ward after the redistricting, it shall constitute a separate election precinct for the next ensuing election, unless it lies contiguous to part only of one or more other election precincts as aforesaid incorporated in

the same ward, when the said parts of precincts shall together constitute one election precinct for the next ensuing election,

General registration.

and in the precinct or precincts so formed from part or parts of former precincts, a general registration shall be held for the next ensuing election in the manner provided by law for general registrations.

Legal residence after redistricting.

SECTION 7. At the next ensuing election after such redistricting, the electors of such city shall vote in the precincts in which they respectively reside and are registered,

Designation of election precincts.

and the board of elections of such city shall assign to each precinct the number of the ward in which it is situated and such other letter or number as they may see fit to designate it by.

Establishment of new and abolition of old wards.

SECTION 8. Immediately upon the filing with the said mayor, city clerk and board of elections of the said maps and descriptions of wards as aforesaid, the new wards as set forth in said maps and descriptions shall be deemed established

Members of council and board of education from abolished wards.

and the former wards shall be abolished, and the offices of members of council and of members of the board of education of any such city from a ward or wards of number not found on such maps and in such descriptions shall at that time cease and be abolished and be so deemed.

First election for members of council, board of education and ward officers.

SECTION 9. No election of members of council, members of the board of education or of ward officers shall be held in any such city after such redistricting until the next ensuing April election.

Designation of members of council and board of education to represent wards.

SECTION 10. The said commissioners, or a majority thereof, shall designate what wards shall be represented by the members of council and of the board of education elected from wards of numbers found on such maps and descriptions of wards, and holding over until the expiration of their terms, and the said mayor, city clerk and board of election shall

Election in wards unrepresented.

be notified thereof. Elections for members of council and of the board of education at the next ensuing April election after such redistricting shall be held only in such ward or wards as are wholly or partly unrepresented in said bodies, or either of them, after such redistricting and designation.

Force and effect of redistricting.

When wards may be changed.

SECTION 11. The redistricting into new wards of such city by said commission shall have the same force and effect as if made by ordinance of the council of such city, and the wards of any such city so redistricted shall not again be changed until after the fourth regular meeting of the council after the April election next ensuing after such redistricting,

Copying of descriptions.

and the city clerk shall copy the descriptions of such new wards into the general ordinance book of any such city.

Repeals.

SECTION 12. That an act entitled "An act to redistrict cities of the second grade of the second class," passed March 27, 1890, be and the same is hereby repealed.

SECTION 13. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed February 19, 1892.
28G

[House Bill No. 62.]

AN ACT

To amend section 1166 of the Revised Statutes of Ohio, as amended April 25, 1890.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 1166 of the Revised Statutes, as amended April 25, 1890 (87 O. L., page 295), be and the same is hereby amended so as to read as follows: County surveyor:

Sec. 1166. He may appoint deputies not exceeding three, and take from them such bond as he requires, and he shall be responsible for their official acts; all surveys made by any deputy shall be signed by such deputy and countersigned by the county surveyor, and when so signed and countersigned shall have the same validity and effect as the surveys of the county surveyor. Deputies; bond; responsibility for acts. Surveys made by deputies.

SECTION 2. Said section 1166, as amended April 25, 1890, is hereby repealed. Repeals.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed February 19, 1892.
29G

[House Bill No. 125.]

AN ACT

To provide for admission to the Ohio soldiers' and sailors' home, with provisions for removal of inmates becoming insane or imbecile or improperly admitted, to define and provide penalties for certain misdemeanors, to provide for bond of quartermaster and to provide for such inspection and supervision of said home as any act of congress may require.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That all honorably discharged soldiers, sailors and marines who have served the United States government in any of its wars, and who are citizens of Ohio at the date of Ohio soldiers' and sailors' home: who eligible to admission.

the passage of this act, or shall have been citizens of Ohio one year or more at the date of making application for admission, who are not able to support themselves, and are not entitled to admission to the national military homes, or can not gain admission thereto, and all soldiers of the national guard of Ohio who have heretofore lost, or may hereafter lose an arm or leg, or his sight, while in the line and discharge of duty, and are not able to support themselves, may be admitted to the Ohio soldiers' and sailors' home under such rules and regulations as may be adopted by its board of trustees; provided, that as to honorably discharged soldiers who have served the United States government, preference shall be given to those who served in Ohio military organizations, and as to such sailors and marines preference shall be given to those who were credited to Ohio in the late civil war.

Preference.

Insane or imbecile ineligible; transfer to asylum.

Expenses of inquest, removal and clothing.

Return of misrepresented person to county; expenses of return.

Liability of Erie county for expenses.

SECTION 2. That no insane or imbecile person shall be admitted to said home, and provided that if any member of said home shall become insane or imbecile and be so adjudged by the probate judge of the county of Erie, such insane or imbecile person shall be transferred to the asylum for the insane or imbecile in the district where he formerly resided, the expense of so adjudging him insane or imbecile, and so moving him to the asylum, and clothing him while there, to be borne by said home; and provided further, if any insane or imbecile person through misrepresentation as to his condition shall be sent to said home, he shall be returned to the county whence he came and the expense of such return be borne by the county whence he came; and in no case shall any portion of the expenses involved in the care, transfer or treatment of the insane or imbecile be borne by the county of Erie, save in case the person adjudged insane or imbecile was insane or imbecile at the time he was admitted and was then a resident of Erie county, and the quartermaster of said home or an officer of said home, designated by said quartermaster, shall be appointed by the probate judge of said county of Erie to transfer such insane or imbecile person to the asylum.

By whom transfer to asylum to be made.

Misdemeanor to purchase clothing issued to member or article belonging to home; penalty.

Jurisdiction.

SECTION 3. That it shall be unlawful for any person to purchase of a member of said home any article of clothing issued to said member for his use, or any other articles belonging to the home, and any person so purchasing shall be guilty of a misdemeanor, and, on conviction thereof before the probate judge of the county of Erie, shall be punished by a fine not less than double the value of the articles purchased, and the probate judge of said county shall have jurisdiction in such cases.

Bond of quartermaster.

SECTION 4. The board of trustees shall require of the quartermaster of said home a satisfactory bond, in amount not less than twenty-five thousand dollars, for the proper discharge of his duties and the custody and expenditure of the funds received by him.

Inspection and supervision by United States official.

SECTION 5. That the home shall be subject to inspection and such supervision as to its management and control by any person appointed or designated under act of congress of

the United States, as may be made a condition of appropriations by congress for the maintenance of such home, such official appointed under and by virtue of act of congress to have and exercise the rights and privileges of a member of the board of trustees if so required by act of congress. Rights and privileges of such official.

SECTION 6. All acts or parts of acts so far as they may be inconsistent with the provisions hereof are hereby declared void as to such inconsistency, but not otherwise. Inconsistent acts.

SECTION 7. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed February 19, 1892.
30G

[House Bill No. 167.]

AN ACT

To supplement section 4715 of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That said section 4715 be supplemented as follows: Supervisors and road work:

Sec. 4715*a*. It shall be unlawful for any supervisor to excavate or make any open ditch on and along a public highway in front of any dwelling-house or yard surrounding the same, or entrance thereto, or in front of the entrance or approach to any barn on that side of the road on which the said buildings are situate, unless he forthwith puts in a sufficient under-drain and fills up the excavation to the original level, except when authorized to make such open ditch at said points, by the owner of such buildings or trustees of the township. And any road supervisor violating this section shall forfeit and pay to the owner of any such buildings twenty-five dollars, to be recovered in a civil action before any justice of the peace. Unlawful making of open ditches along highways. Penalty.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed February 19, 1892.
31G

[House Bill No. 195.]

AN ACT

To amend section 8 of an act passed March 14, 1889, entitled "An act to authorize cities of the fourth grade of the second class having a population of 6,252 at the last federal census, or any succeeding federal census, to borrow money and issue bonds therefor, for the purpose of procuring territory and right of way, sinking wells for natural gas, purchasing wells and natural gas works, purchasing and laying pipes, and supplying such cities with natural gas, or manufacturing gas out of petroleum for public and private use and consumption."

Natural gas works (Urbana):

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 8 of an act passed March 14, 1889 (86 O. L., p. 103), entitled "An act to authorize cities of the fourth grade of the second class having a population of 6,252 at the last federal census, or any succeeding federal census, to borrow money and issue bonds therefor, for the purpose of procuring territory and right of way, sinking wells for natural gas, purchasing wells and natural gas works, purchasing and laying pipes, and supplying such cities with natural gas, or manufacturing gas out of petroleum for public and private use and consumption," be amended so as to read as follows:

Board of trustees:

How appointed and constituted.

Terms.

Duties.

Vacancies.

Sec. 8. The board of trustees, heretofore appointed under the provisions of the original act, on the day herein fixed for this act to take effect, is abolished, and in lieu thereof the probate judge of the county in which any such city mentioned in section 1 of the original act, is located, shall forthwith appoint a board of trustees composed of three citizens of any such city, not more than two of whom shall belong to the same political party, one of whom shall be appointed for one year, one for two years and one for three years, and the board so appointed shall have charge and management of the gas-works provided for by the original act for such city, and shall hold their offices until their successors are appointed and qualified; any vacancies occurring in such board, either by death, resignation, expiration of term of appointment or otherwise, shall be filled by appointment by any such probate judge for the unexpired term thereof.

Repeals, etc.

SECTION 2. Section 8 of the original act is repealed, and this act shall take effect and be in force on and after February 25, 1892.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.

ANDREW L. HARRIS,
President of the Senate.

Passed February 19, 1892.
32G

[Senate Bill No. 8.]

AN ACT

To supplement section 6732 of the Revised Statutes.

Jurisdiction in error:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 6732 of the Revised Statutes be supplemented as follows, to-wit:

Attorney's fee when judgment for wages affirmed.

Sec. 6732a. When a judgment for wages, rendered by a justice of the peace, is, by the defendant, taken on error, as herein provided, to the court of common pleas and affirmed, the costs of suit shall include a fee of fifteen dollars for the attorney of the defendant in error. But no such attorney fee shall be taxed in the costs, unless said wages have been demanded in writing, and not paid within three days after such demand.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed February 24, 1892.
33G

[Senate Bill No. 53.]

AN ACT

To provide for an additional judge of the court of common pleas in the first subdivision of the fifth judicial district, to fix the time of election thereof and to repeal an act of March 6, 1891.

Additional judge in first subdivision fifth district.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there shall be an additional judge of the court of common pleas in and for the first subdivision of the fifth judicial district of Ohio, composed of the counties of Adams, Brown and Clermont, who shall be a resident of said subdivision and elected by the qualified electors thereof.

First election.

SECTION 2. The first election under this act for such additional judge shall be held at the regular annual election for state and county officers in November, A. D. 1892, and subsequent elections for such judge shall be held every five years thereafter. The term of office of the judge first elected hereunder shall begin on October 15, A. D. 1893, and continue five years, and his successors shall hold for like terms of five years from October 15, following their election.

Subsequent elections.

Term.

Compensation.

SECTION 3. Such additional judge shall receive the same compensation, be paid in the same manner as other judges of said court in said subdivision, and shall have, in every respect, the same powers and jurisdiction, discharge and perform the same duties and be liable to the same penalties as other judges of the court of common pleas.

Powers, jurisdiction; duties; penalties.

Vacancy.

SECTION 4. When a vacancy occurs in such additional judgeship, such vacancy shall be filled as other vacancies in the office of judge of the court of common pleas.

Repeals.

SECTION 5. The act entitled "An act to fix the time or election of common pleas judge in the first subdivision of the fifth judicial district, and to amend a certain act therein named," passed March 6, 1891, Ohio laws, vol. 88, pages 86 and 87, is hereby repealed, but this repeal shall in nowise affect or interfere with the term and powers of the judge now holding under said act.

Present judge.

SECTION 6. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed February 24, 1892.
34G

[House Bill No. 87.]

AN ACT

To authorize the village council of any village having a population at the last federal census, or any subsequent federal census, of not less than five hundred nor more than five hundred and ten, to issue bonds to aid in piking and improving the streets of such village.

Street improvement bonds of certain villages.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That for the purpose of piking and improving any village having a population, at the last federal census or any subsequent federal census, of not less than five hundred nor more more than five hundred and ten, the council of such village is hereby authorized to issue bonds of such incorporated village, signed by the mayor and clerk thereof, for an amount not exceeding five thousand dollars, payable in five annual payments of one thousand dollars each, commencing not later than twenty years from date of issuing the same; said bonds shall bear interest at a rate not exceeding six per cent. per annum, to be paid annually, and shall not be sold for less than their par value, and shall not bear interest until sold; the money realized from the sale of said bonds shall be used by said council to pike and improve the streets of such village.

Amount.
Payable.
Interest.
Sale.
Application of proceeds.

Annual tax levy.

SECTION 2. For purpose of paying bonds issued under section 1 of this act, and interest thereon, as the same becomes due, said council shall annually levy a tax on taxable property in said village sufficient therefor.

Record of bonds.

SECTION 3. The clerk of said council shall keep a record of said bonds, showing the number, amount and date of each when due, and the rate of interest, and when paid they shall be taken up and canceled and the fact noted on the record.

SECTION 4. Said bonds shall not be issued nor said tax assessed until the question shall be submitted to the voters of said village at a general or special election of which at least ten days' notice shall be given by written or printed notices posted up in at least five public places in said village; at said election all voters desiring to vote in favor of issuing said bonds and levying said taxes, shall have written or printed on their ballots the words, "Pike—Yes;" and all voters desiring to vote against issuing said bonds and levying said taxes, shall have written or printed on their ballots the words, "Pike—No;" no bonds shall be issued nor taxes levied under this act unless two-thirds of the votes cast at said election shall be favorable thereto.

General or special election.

Notice.

Ballots.

Issue of bonds conditional.

SECTION 5. Said election shall be held and controlled by said council of said village at the usual place of holding elections in said village, and the polls shall be kept open at least five hours, closing at six o'clock p. m.; the clerk of said village shall be clerk of said election and shall enter a complete record of said election on the records of said village and shall file and preserve all poll-books, tally-sheets, and other papers pertaining to said election.

Conduct of election.

Duties of village clerk.

SECTION 6. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed February 24, 1892.
35G

[House Bill No. 106.]

AN ACT

To amend section 6723 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section No. 6723 of the Revised Statutes of Ohio be amended so as to read as follows:

Jurisdiction in error:

Sec. 6723. No proceeding to reverse, vacate or modify a judgment or final order shall be commenced, unless within six months after the rendition of the judgment or the making of the final order complained of; or in case the person entitled to such proceeding is an infant, a person of unsound mind or imprisoned, within six months as aforesaid, exclusive of the time of such disability.

Proceedings in error: limitations.

SECTION 2. That said section 6723 be repealed, and this act shall take effect from and after September 1st, 1892.

Repeals, etc.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed February 24, 1892.
36G

[House Bill No. 116.]

AN ACT

To amend section 4924 of the Revised Statutes of Ohio.

Public ways—miscellaneous provisions:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 4924 of the Revised Statutes of Ohio be amended to read as follows:

When commissioners may establish a ferry.

Sec. 4924. When any county bridge has been destroyed by fire, flood or any other case [cause], the county commissioners may establish or cause to be established, a free ferry in lieu of such bridge. They may also establish or cause to be established a free ferry over any of the interior streams of the state of Ohio where it is not expedient to build a bridge. But the cost of maintaining such free ferry shall not in any case exceed the interest on the probable cost of constructing a bridge across the stream.

Repeals, etc.

SECTION 2. Said section 4924 is hereby repealed, and this act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed February 24, 1892.
37G

[House Bill No. 126.]

AN ACT

To amend sections 5547 and 6500 of the Revised Statutes.

Proceedings upon attachment:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 5547 and 6500 of the Revised Statutes be amended so as to read as follows:

Appearance and disclosure of garnishee in court.

Sec. 5547. The garnishee, if the order of attachment be returned during a term of court, and twenty days before the close thereof, shall appear at that term, and if the order be returned during vacation, he shall appear at the term next after its return; and he shall answer under oath all questions put to him touching the property of every description and credits of the defendant, in his possession or under his control, and he shall disclose, truly, the amount owing by him to the defendant, whether due or not, and in case of a corporation, any stock therein held by or for the benefit of the defendant, at or after the service of notice; but at the time of such service the garnishee shall be entitled to demand his fees in the same manner and amount as other witnesses, and if the same are not paid on demand or within a reasonable time thereafter, the garnishee shall not be bound by nor obliged to obey the notice.

Demand for fees in advance.

Sec. 6500. The garnishee shall appear before the justice in accordance with the command of the notice, and shall answer under oath all questions put to him touching the property of every description and credits of the defendant, in his possession or under his control, and he shall disclose, truly, the amount owing by him to the defendant, whether due or not; and in case of a corporation, any stock therein held by or for the benefit of the defendant, at or after the service of notice; but at the time of such service the garnishee shall be entitled to demand his fees in the same manner and amount as other witnesses, and if the same are not paid on demand or within a reasonable time thereafter, the garnishee shall not be bound by nor obliged to obey the notice.

Appearance and disclosure of garnishee before justice.

Demand for fees in advance.

SECTION 2. That said original sections 5547 and 6500 are hereby repealed, and this act shall take effect on its passage.

Repeals, etc.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed February 24, 1892.
38G

[House Bill No. 158.]

AN ACT

To amend section one of an act passed March 17, 1891 (vol. 88, p. 139), to provide for the disposition of inmates of the Ohio soldiers' and sailors' home, who may become insane.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That when any inmate of "the Ohio soldiers' and sailors' home" becomes insane, the commandant of said home shall file with the probate judge of the county in which said home is located, an affidavit substantially as follows:

Insane inmate Ohio soldiers' and sailors' home.

The state of Ohio, ———— county, ss:

————, commandant of said home, being duly sworn, says that he believes ————, an inmate of said home, is insane, or that in consequence of his insanity, his being at large is dangerous to the community; that said inmate was received into said home from ——— county, on the —— day of ———, 189—.

Affidavit.

————, A. B.

SECTION 2. That said section one, vol. 88, p. 139, be and the same is hereby repealed.

Repeals.

SECTION 3. That this act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed February 24, 1892.
39G

[House Bill No. 217.]

AN ACT

To amend section 3 of an act entitled "An act to create township supervisors in certain counties, and to require the letting of certain portions of road work by contract," as passed April 15, 1889 (vol. 86, page 324).

Township supervisor (Geauga and Lake):

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 3 of an act passed April 15, 1889, be amended so as to read as follows:

Duties.

Sec. 3. The duties of supervisor shall be as follows: To

New public roads and highways.

open, or to cause to be opened, all public roads and highways which shall be laid out and established in his district, and to maintain the proper legal width and location of the same;

Repairs and permanent improvements.

to keep the same in good repair and make, from time to time, such permanent improvements by grading, draining, graveling or macadamizing, as the tax for road purposes will warrant;

Obstructions.

to remove or cause to be removed forthwith, all obstructions that may be found thereon;

Grading, ordinary repairs, etc.

to complete the work of grading and ordinary repairs between the first day of April and twentieth day of June of each year, and to complete within a reasonable time after having been commenced all repairs and improvements in a smooth and workmanlike manner, and in good condition for all kinds of public travel, and to grade, or cause to be graded and leveled off, the earth and gravel that may be scraped, shoveled or hauled into any public road under his direction or charge at the time such

Canada thistles.

work is performed; and when the supervisor has knowledge that Canada thistles are growing on land in his road district he shall forthwith give notice to the owner or occupant of said land who shall at once proceed to kill and destroy the same and if at the end of thirty days from such notice such owner or occupant shall have failed to have proceeded to kill and destroy said Canada thistles the supervisor shall at once proceed to kill and destroy said Canada thistles or cause the same

Weeds, burs, bushes and briers.

to be done. And if the owner or owners of land along said public roads and highways shall fail to cut down and destroy all weeds, burs, bushes and briers growing in the public highways against their lands, before the 15th of August of each year, then the supervisor shall at once proceed to cut down or cause to be cut down and destroy all such weeds, burs, bushes and briers that may be found standing after the 15th of August of each year, and the same to be paid for out of any road or township funds not otherwise appropriated [and the] trustees of

Cost of destroying weeds, burs, bushes, briers and Canada thistles.

said township shall make or furnish a statement of the cost of cutting and destroying said weeds, burs, bushes and briers, [and] Canada thistles, together with the name of the owner or person holding the title of the lands, along whose roadsides said weeds, burs, bushes and briers have been cut and destroyed by said supervisors, to the auditor of said county, who shall enter the costs upon the duplicate against the land upon which the weeds, burs, bushes and briers [and] Canada thistles have been cut and destroyed, which shall be collected as other

Shade trees.

taxes and return it with the road fund of said township. But no supervisor shall cut down or molest any of the shade trees

growing upon the highways, unless so ordered by the township trustees.

SECTION 2. That section 3 of the above recited act be and the same is hereby repealed. Repeals.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.

ANDREW L. HARRIS,
President of the Senate.

Passed February 24, 1892.
40G

[Senate Bill No. 72.]

AN ACT

To provide for the redemption of bonds and the payment of certain mortgage debts upon the Ohio state fair grounds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and is hereby appropriated from money belonging to the sinking fund (received from the treasury of the United States as the portion of the state of Ohio of the direct tax reimbursement), the following sums for the purpose of paying the debt of the Ohio state board of agriculture, as herein named: To redeem first mortgage bonds of said board, payable July 1, 1892, of the sixty thousand dollar issue, authorized by act of the general assembly, passed May 1, 1885, which are [then] payable, five thousand dollars ($5,000.00). To redeem second mortgage bonds of said board, payable July 1, 1892, of the twenty thousand dollar issue, authorized by act of the general assembly, passed May 19, 1886, fifteen thousand dollars ($15,000.00). For one year's interest on the total unpaid bonds of said issues, three thousand nine hundred dollars ($3,900). Appropriation for payment of debt of Ohio state board of agriculture.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.

ANDREW L. HARRIS,
President of the Senate.

Passed February 25, 1892.
41G

[House Bill No. 50.]

AN ACT

To reimburse company D, seventeenth regiment, Ohio national guard.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the auditor of the state of Ohio be and is here- Appropriation for com-

pany D, seventeenth regiment, O. N. G.

by authorized and required to issue his warrant on the state treasurer to pay to company D, of the seventeenth regiment, O. N. G., out of the general revenue fund not otherwise appropriated, fifty ($50) dollars to reimburse said company D for actual and necessary expenses incurred by said company in taking charge of and burying John Heniger, a member of said company, who was killed on the nineteenth day of August, 1891, near Belle Valley station on a train on the Cleveland and Marietta railroad, on which the said company was returning home from the annual encampment of said seventeenth regiment at Newark.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,
Speaker pro tem. of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 1, 1892
42G

[House Bill No. 58.]

AN ACT

To reimburse George D. Hendricks for quarters, fuel and straw furnished the 34th regiment Ohio national guards in May, 1864.

Appropriation for Geo. D. Hendricks.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and is hereby appropriated out of any money in the state treasury, not otherwise appropriated, the sum of ninety dollars and seventy-five cents ($90.75) for the purpose of paying said Geo. D. Hendricks the amount of his claim.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,
Speaker pro tem. of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 1, 1892.
43G

[House Bill No. 344.]

AN ACT

To amend section two thousand six hundred and eighty of the Revised Statutes of Ohio.

Law libraries:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section two thousand six hundred and eighty of the Revised Statutes of Onio be amended to read as follows:

Sec. 2680. All fines and penalties which are assessed and collected by the police court, for offenses and misdemeanors prosecuted in the name of the state, except a portion thereof equal to the compensation allowed by the county commissioners to the judge, clerk and prosecuting attorney of such court, in state cases, which shall be retained by the clerk, shall be paid by the clerk quarterly to the trustees of such law library associations mentioned in the two next preceding sections, to be expended in the purchase of law books, and the maintenance of such associations; but the sums so paid shall not be less than five hundred dollars per annum, if there be such amount. And all justices of the peace of such county, and all officers of townships, villages and cities therein, shall have the same free use of the books of such library, as the judges and county officers. And the trustees of such associations shall on the first Monday of each year make a detailed statement to the auditor of the county, verified by the oath of the treasurer of the association, of the amount of the fines and penalties so received, and of the money expended by the association.

Police court fines for maintenance of.

Who entitled to use of books.

Annual report of trustees.

SECTION 2. This act shall take effect and be in force from and after its passage, and original section two thousand six hundred and eighty is hereby repealed.

Repeals, etc.,

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 1, 1892.
44G

[House Bill No. 79.]

AN ACT

To supplement section 6896, Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 6896 of the Revised Statutes be supplemented with sectional numbering as follows:

Offenses against public peace:

Sec. 6896a. Whoever willfully disturbs, by disorderly conduct, obscene language, or otherwise unlawfully interferes with the peace and comfort of passengers upon any passenger train, shall be fined not more than twenty-five dollars, or imprisoned not more than ten days, or both.

Disorderly conduct upon passenger train.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 2, 1892.
45G

[House Bill No. 88.]

AN ACT

To supplement section 3467 of the Revised Statutes.

Magnetic telegraph companies:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 3467 of the Revised Statutes be supplemented with sectional numbering as follows:

Unlawfully obtaining, using, intercepting or delaying message.

Sec. 3467*a*. Whoever shall wilfully and maliciously cut, break, tap or make any connection with, or read or copy by the use of telegraph or telephone instruments, or otherwise, in any unauthorized manner, any telegraphic message or communication from any telegraph or telephone line, wire or cable, so unlawfully cut or tapped in this state; or make unauthorized use of the same, or who shall wilfully and maliciously prevent, obstruct or delay, by any means or contrivance whatsoever, the sending, conveyance or delivery, in this state of any unauthorized telegraphic message or communication by or through any telegraph or telephone line, cable or wire under the control of any telegraph or telephone company doing business in this state; or who shall wilfully or maliciously aid, agree with, employ, or conspire with any other person or persons to do any of the aforementioned unlawful acts, shall be deemed guilty of felony, and shall be punished by a fine of not more than one thousand dollars nor less than two hundred dollars, or by imprisonment in the penitentiary for a period of not less than one nor more than three years; or by both fine and imprisonment within the limits hereinbefore specified, at the discretion of the court. Prosecutions under this act shall be by indictment in any court having criminal jurisdiction.

Penalty.

Prosecutions.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 2, 1892.
46G

[House Bill No. 115.]

AN ACT

To amend section 7468—1 of the Revised Statutes, passed and took effect April 8, 1880 (77 v., 128).

Agriculture:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section seven thousand four hundred and sixty-eight (1) of the Revised Statutes, as amended April 8, 1880 (77 v., 128), be amended so as to read as follows:

Appropriation of land for enlargement of fair grounds.

Sec. 7468—1. That when it shall be deemed necessary by the board of directors of any county agricultural society to enlarge the fair grounds under the control of such society, and the owner or owners of the proposed addition to said

grounds and the said board of directors are unable from any cause to agree upon the sale and purchase of said additional grounds, the board shall make an accurate plat and description of the land which it desires for said purpose and file the same with the probate judge of the proper county; and thereupon the same proceedings of appropriation shall be had which are provided for the appropriation of private property by municipal corporations, said board to act for such society therein as the council would for the municipal corporation.

SECTION 2. Section 7468—1, as passed and took effect April 8, 1880, is hereby repealed; and this act shall take effect from and after its passage. Repeals, etc.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 2, 1892.
47G

[House Bill No 137.]

AN ACT

To authorize the trustees of any township having a population at the last federal census or any subsequent federal census of not less than sixteen hundred and twenty-seven nor more than sixteen hundred and thirty-seven, to issue bonds for the purpose of macadamizing or graveling and improving the public highway in such township.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of any township having a population at the last federal census or any subsequent federal census of not less than sixteen hundred and twenty-seven nor more than sixteen hundred and thirty-seven, are hereby authorized to issue the bonds of such township in any sum not exceeding ($100,000) one hundred thousand dollars, bearing interest at a rate not exceeding 6 per cent. per annum from the date of issue, payable semi-annually, for the purpose of macadamizing or graveling and improving the highways in such township. Public highway improvement bonds (Ridge township, Van Wert county). Amount; interest.

SECTION 2. Said bonds shall be signed by the trustees of such township and countersigned by the clerk, and shall not be sold for less than their par value; the principal shall be payable after ten years from the date of the issue of said bonds, in annual installments, of not less than seven thousand dollars; and the said trustees are hereby authorized to levy a tax upon all the taxable property of such township to pay said bonds and interest thereon as the same become due, and the funds realized from the sale of said bonds shall be used by the trustees of such township for no other purpose than that specified in section 1 of this act. Issue and sale of bonds. Payment of principal. Levy of tax. Application of proceeds of bonds.

SECTION 3. The board of trustees after having determined which roads are to be improved, shall examine such Examination of roads to be improved.

roads and ascertain if the proposed roads are sufficiently graded and drained; and if such be not the case, then they may take to their assistance a competent surveyor or engineer, whose duty it shall be to make, under the direction of the board of trustees, a survey and level of the roads so selected, fix the grade of the road and the grade and capacity of the drains on the sides thereof. The trustees shall cause to be constructed all necessary culverts on such roads, fix the width of the graveled or macadamized track not less than nine feet nor more than sixteen feet wide, and the depth thereof not less than eight inches nor more than twelve inches in the center, and the slope from the center to the sides. The trustees may consolidate the road districts through which any such proposed road improvement passes, and direct the supervisors of such road district to work the two days' labor in such district, and in such manner as shall be prescribed by the trustees.

Surveyor or engineer; duty.

Culverts; width and depth of track.

Consolidation of road districts.

Two days' labor.

Ordering and letting of improvement.

SECTION 4. A majority of the board of trustees shall be necessary to order the said road improvement, and the work of the construction and the furnishing of the material for such road improvement shall be publicly let, excepting such work as may be done by the supervisors of the road district as herein provided. The contracts for material to be used in the construction of said road improvement and the contracts for hauling said material upon the roads shall be let separately.

Contracts for material and hauling.

Notice of letting.

SECTION 5. The trustees, after having given public notice of the time and place of such letting, for at least two weeks, in a newspaper of general circulation in the township or county, or by handbills, or both, at the discretion of the board of trustees, specifying the kind and quality of the material, and the part of the road upon which the same is to be used, shall let the same to the lowest bidder, who shall give bond to the acceptance of the trustees. The bids for the material and for the work of hauling the same shall be separately stated, and the trustees may reject any or all bids. The trustees shall examine and accept the work when completed, and ascertain the amount of material furnished under the provisions of this act, and if found in all respects correct, shall draw an order for the amount due for work, or for material furnished, upon the township treasurer, which shall be countersigned by the township clerk.

Lowest bidder: bond.

Separate bids.

Rejection of bids; examination and acceptance of work.

Order for payment.

Overseer; compensation.

SECTION 6. The board of trustees may appoint one of their number, or some other suitable person who shall oversee the work, and for services rendered under the provisions of this act, they shall be entitled to receive for each day actually employed, the sum of one dollar and fifty cents per day.

Township clerk's record and compensation.

And the trustees shall provide for the township clerk a suitable book in which there shall be kept a complete record of the business transacted under the provisions of this act, and it is hereby made his duty to keep a full and complete record of the action of the board of trustees under this act, and the township clerk, for making said record, shall be entitled to

receive ten cents per hundred words, and for all other services such reasonable compensation as may be allowed by the board of trustees.

Payment of fees.

SECTION 7. The fees of the township officers, the engineer, and the person who may be appointed by the board of trustees under the provisions of this act, shall be paid out of the township road fund. But before any payment shall be made for services rendered under the provisions of this act, the person entitled thereto shall make out and file with the township clerk an itemized account of his services, whereupon the trustees shall, if they find the same correct, draw an order on the township treasurer, countersigned by the township clerk.

Itemized accounts.

Order for payment.

Roads free to public travel; repairs.

SECTION 8. The roads graveled or macadamized under the provisions of this act shall be free to the public travel, and shall be kept in repair by the trustees, out of the funds that come into the township treasury from the county treasury, as provided for in section one thousand four hundred and fifty-nine (1459) of the Revised Statutes of Ohio.

Special election.

SECTION 9. The question of issuing said bonds and levying said tax and the improvement of said roads of such township shall be submitted to a vote of the qualified electors of said township at a special election to be ordered by the trustees of such township at the usual place of holding elections. Notice of holding said election to be posted up at least in five conspicuous places in such township at least ten days before said election. The tickets to be voted at said election shall have written or printed thereon the words "Road improvement—Yes," or "Road improvement—No;" and if a majority of those voting on said proposition are in favor of the same, then it shall be the duty of said trustees to make said levy as hereinbefore directed.

Notice.

Ballots.

Levy of tax conditional.

Exemption from taxation.

SECTION 10. Provided, that after the trustees of such township have made the levy and commenced and continue to improve the public highway as herein provided, the property in such township shall be exempt from any levy by the commissioners of said county for the purpose of constructing, maintaining or improving roads.

SECTION 11. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 2, 1892.
48G

[House Bill No. 173.]

AN ACT

To amend section 4617 of the Revised Statutes.

State roads:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 4617 of the Revised Statutes of Ohio be amended so as to read as follows:

Commissioners to view and survey proposed road.

Sec. 4617. On application by petition signed by at least twenty freeholders of each county through which it is proposed to lay out and establish any state road, the board of commissioners of each county shall appoint one disinterested freeholder of their respective counties as a commissioner to act with other commissioners so appointed from each county to view and survey the proposed road; provided, that when said proposed road affects but two counties the county commissioners of the county in which three-fifths or more of such proposed road is to be located shall appoint two such commissioners to view and survey the same; provided further, that when such proposed road affects but two counties and the sections of the same in the several counties are approximately equal in length the surveyor or engineer appointed in pursuance of section 4619 herein shall be a third commissioner to view and survey the same.

Repeals.

SECTION 2. Said original section 4617 be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 2, 1892.
49G

[House Bill No. 178.]

AN ACT

To eradicate the disease known as "black-knot" on plum and cherry trees.

Destruction of plum or cherry trees afflicted with black-knot.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the supervisor of any road district in this state, or the street commissioner of any city or incorporated village, when notified in writing by any person that any plum or cherry trees within his district are afflicted with the disease known as the "black-knot," shall cause the said trees to be cut down and burned, or, where practicable, the diseased branches of same to be so destroyed, during November and December of each year, so as to prevent the spread of said disease; and make return in writing to the board of county commissioners of his county, with his bill of expenses and charges therefor, which bill shall be paid from the county fund,

Return to county commissioners; payment of expenses.

the same having first been audited and allowed by the board at the rate of compensation allowed by law for road work; and the amount so paid shall be entered upon the duplicate against the land on which the said trees or diseased branches were so removed and destroyed, and collected the same as other taxes, and returned to the county fund; but the owner, lessee or agent of any land upon which such trees so diseased are situated, shall be first notified by some person interested, at least five days previous to the entering thereon by the supervisor.

Entering of expenses upon tax duplicate; collection.

Notice to owner, lessee or agent of land.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 2, 1892.
50G

[House Bill No 240.]

AN ACT

To amend section 897*b*, as passed April 14, 1888.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 897*b* of the Revised Statutes, as passed April 14, 1888 (85 O. L., page 266), be and the same is hereby amended so as to read as follows:

County commissioners:

Sec. 897*b*. In counties which contain a city of the first grade of the second class, each commissioner shall be allowed for expenses incurred by said commissioner in the proper discharge of his duties within said county, the sum of eight hundred dollars ($800.00) per annum, said sum to be paid out of the county treasury on the warrant of the county auditor.

Allowance for expenses (Franklin county).

SECTION 2. Said section 897*b*, as passed April 14, 1888, is hereby repealed.

Repeals

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 2, 1892.
51G

[House Bill No. 346.]

AN ACT

To authorize the council of any incorporated village having a population by the last federal census, or any following federal census of not less than 1,875 or more than 1,885 to construct sewers and issue bonds for the payment thereof.

Sewer bonds (Paulding).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of any incorporated village of the state of Ohio, having a population by the last federal census of not less than 1,875 nor more than 1,885, or which may have such population at any subsequent federal census, be and are hereby authorized and empowered, two-thirds of the whole number of the members elected to the council concurring thereto, to issue and sell the bonds of such villages and upon its corporate credit in any sum not exceeding the sum of fifteen thousand dollars ($15,000) for the purpose of constructing sewers in such villages.

Amount.

Issue, advertisement, sale and form.

SECTION 2. Said bonds shall be issued, advertised and sold according to law. They shall express upon their face the purpose for which issued and sold, the act of the general assembly of the state of Ohio, under which authorized, and shall be signed by the mayor and attested by the clerk.

Denominations; when payable.

Interest.

Construction of sewers.

SECTION 3. Such bonds shall be issued in such denominations and payable at such times within a period of twenty years as the council of such villages shall by ordinance determine, and shall bear a rate of interest not to exceed six per centum per annum, payable semi-annually; and the sum of money, principal and premium, realized from the sale of such bonds shall be placed in the sewer fund, and be disbursed in the building of such sewers, and as the council may provide.

Additional tax levy.

SECTION 4. For the purpose of paying such bonds and the interest thereon as they may become due, the council of such villages are hereby authorized to levy annually a tax upon all the taxable property, both real and personal, of such villages in addition to the amount otherwise allowed by law, to be collected as other taxes; and the money so collected shall be used for the payment of the bonds and the interest thereon, and for no other purpose.

Payment of bonds and interest.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 2, 1892.
52G

[Senate Bill No. 9.]

AN ACT

To supplement section 6563 of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 6563 of the Revised Statutes be supplemented as follows, to-wit: Trial, and its incidents:

Sec. 6563*a*. If the plaintiff in any action for wages recover the sum claimed by him in his bill of particulars, there shall be included in his costs such fee as the court may allow but not in excess of five dollars for his attorney. But no such attorney fee shall be taxed in the costs unless said wages have been demanded in writing, and not paid within three days after such demand. If the defendant appeal from any such judgment, and the plaintiff on appeal recover a like sum exclusive of interest from the rendition of the judgment before the justice, there shall be included in his costs such additional fee not in excess of fifteen dollars for his attorney as the court may allow. Attorney's fee in action for wages. On appeal.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 3, 1892.
536

[House Bill No. 29.]

AN ACT

To amend section 5190 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 5190 of the Revised Statutes of Ohio be and the same is hereby amended so as to read as follows: Trial by jury, and verdict:

Sec. 5190. When the jury is sworn the trial shall proceed, except as provided in the next section, in the following order, unless the court for special reasons otherwise direct: Mode of conducting the trial.

1. The plaintiff must briefly state his claim, and may briefly state the evidence by which he expects to sustain it. Plaintiff's statement.

2. The defendant must then briefly state his defense, and may briefly state the evidence he expects to offer in support of it. Defendant's statement.

3. The party who would be defeated if no evidence were offered on either side must first produce his evidence, and the adverse party must then produce his evidence. Evidence.

4. The parties shall then be confined to rebutting evidence, unless the court, for good reasons, in the furtherance of justice, permit them to offer evidence in their original case. Rebutting evidence.

Written instructions.

5. When the evidence is concluded, either party may present written instructions to the court on matters of law, and request the same to be given to the jury, which instructions shall be given or refused by the court before the argument to the jury is commenced.

Submission or arguments.

6. The parties may then submit or argue the case to the jury; the party required first to produce his evidence shall have the opening and closing argument, and if several defendants, having separate defenses, appear by different counsel, the court shall arrange their relative order.

Court's charge and instructions.

7. The court, after the argument is concluded, shall, before proceeding with other business, charge the jury; any charge shall be reduced to writing by the court, if either party, before the argument to the jury is commenced, request it; a charge or instruction, when so written and given, shall not be orally qualified, modified, or in any manner explained to the jury by the court; and all written charges and instructions shall be taken by the jurors in their retirement, and returned with their verdict into court, and shall remain on file with the papers of the case.

Repeals.

SECTION 2. That section 5190 of the Revised Statutes of Ohio be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 3, 1892.
54G

[House Bill No. 105.]

AN ACT

To amend section 1 of an act passed March 13, 1884, entitled "An act for [the] protection and benefit of keepers and patrons of stallions or jack in the state of Ohio," and to repeal section 2 of the said act.

Animals:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 1 of an act passed March 13, 1884, entitled "An act for the protection and benefit of keepers of stallions in the state of Ohio," be amended so as to read as follows:

Lien of keeper of stallion or jack.

Sec. 1. That the keeper of any stallion or jack shall have a lien upon the get of the same for the period of eight months after birth of same for the payment of the service of any such stallion or jack. Such keeper or owner may enforce said lien by replevin of the property before any justice of the peace of the township where the property is found, and after gaining possession of the same he may, after first giving ten days' notice to the reputed owner thereof of his intention so to do, sell the same at public sale, after two weeks' notice of the time and place of said sale by notices posted up in five conspicuous

Replevin and sale of property.

and public places in the township where proceedings in replevin are had, and out of the proceeds of sale retain the amount due him for said service, with the costs by him incurred in said replevin suit, and accounting to the owner for the surplus realized by said sale. And the owner of any such stallion when payment is made to him or his agent for any such get, shall deliver to the payer a receipt in full for the amount so paid and stating for what paid. And any such keeper or owner of any stallion who misrepresents the pedigree, or fails to publish a correct pedigree of his stallion, when excellency of good qualities are claimed on account thereof, shall, upon proof of such misrepresentation, forfeit the services in any case when legally contested and proven, and shall be otherwise punished as provided by law against the use of a false pedigree.

Disposition of proceeds of sale.

Receipt of owner of stallion.

Penalty for misrepresentation of stallion's pedigree.

SECTION 2. Section 2 of the said act is repealed.

Repeals.

SECTION 3. Section 1 of the said act herein amended is repealed, and this act shall take effect on its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 3, 1892.
55G

[House Bill No. 222.]

AN ACT

To authorize villages of the first grade having a population at the last federal census of not less than three thousand (3,000) nor more than three thousand and thirty (3,030), or which may have such population at any subsequent federal census, to issue and sell bonds, but not exceeding fifteen thousand ($15,000.00) dollars in amount, for the purpose of purchasing, erecting, operating and owning electric light plants.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That villages of the state of Ohio of the first grade having a population at the last federal census of not less than three thousand (3,000) nor more than three thousand and thirty (3,030), or which may have such population at any subsequent census, be and they are hereby authorized and empowered to issue and sell their bonds in any sum not exceeding fifteen thousand ($15,000.00) dollars, for the purpose of purchasing, erecting, operating and owning electric light plants to be used in supplying lights for streets and other public lighting and lights for private use.

Electric light plant bonds (Saint Mary's).

Amount.

SECTION 2. Said bonds shall be issued and sold as other bonds are issued and sold under existing laws for other public improvement. They shall bear date the day of issue, shall express upon their face the purpose for which issued and sold, the act of the general assembly of the state of Ohio by which said issue and sale are authorized, shall be signed by the mayor

Issue, sale and form.

and attested and registered by the village clerk the same as other bonds are now authorized by law for public improvements, and said bonds, in the discretion of the village council, may have interest coupons attached.

When and where payable.

SECTION 3. Said bonds shall not run for a time greater than twenty-five (25) years from the date of their issue, and shall, together with interest, be made payable at such place or places as the council may direct.

Interest.

SECTION 4 Said bonds shall not draw interest at a rate exceeding six (6) per centum per annum, payable semi-annually.

Custodian of proceeds of bonds.

The money obtained from the sale of such bonds shall be paid into the hands of the treasurer of the board of trustees of the city gas-works in any village in which there is a gas-works, and to the village treasurer in all other villages, who shall hold and distribute the same under the orders of the village council.

Regular or special election.

SECTION 5. Before any such bonds shall be issued and sold, the question of the issue and sale of said bonds for the purpose herein specified shall be submitted to the qualified electors of said village at a regular or special election called

Ballots.

for the purpose of voting on such question; the ballots used by such electors shall have written or printed thereon the words "For the construction of an electric light plant—Yes," and "For the construction of an electric light plant—No."

Condition of issue of bonds.

And if a majority of such electors voting on said question shall vote "Yes," then said village shall issue said bonds as above expressed. Provided, however, that in any village in which within six months next preceding the passage of this act, an election has been had in accordance with the above provisions and a majority of all the electors voting at such election has voted yes on such question, then no other or further election shall be required, but any such village may at once proceed to issue and sell said bonds.

SECTION 6. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 3, 1892.
56G

[House Bill No. 302.]

AN ACT

To supplement chapter 7, division 2, title 12 of the Revised Statutes.

Merger of township in corporation:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That chapter 7, division 2, title 12 of the Revised Statutes be supplemented with sectional numbering so as to read as follows:

When township merged

Sec. 1627*a*. In counties containing a city of the second grade of the first class, when the corporate limits of a hamlet

become identical with those of a township, the office of township trustee, township treasurer, and township clerk in such township shall be abolished; and all of the powers and duties of trustees of townships conferred or prescribed by law, shall be vested in and be performed by the trustees of the hamlet; provided, nothing herein shall affect the organization of such township for the purpose of electing justices of the peace, constables and assessors therefor, who shall be voted for on the same ticket as the officers of such hamlet.

In hamlet, certain offices abolished (Cuyahoga county); trustees.

Justices, constables and assessors.

Sec. 1627*b*. The duties of treasurer and clerk of such township shall be performed by the clerk and treasurer of the hamlet; and all moneys collected or authorized by law to be paid to the township treasurer shall be paid to the treasurer of such hamlet.

Treasurer and clerk.

Sec. 1627*c*. All property, real and personal, together with all moneys and credits, books, vouchers, records, files, accounts, documents, and bonds of an official character, in the possession or under the control of such township trustees, township clerk or township treasurer, or either of them, whose offices are thus abolished shall vest in the trustees of the hamlet; and such township officers shall, when their offices have ceased by operation of this act, forthwith deliver over to the trustees of the hamlet a full statement of their accounts, together with the property, moneys, credits, books, records, accounts, files, vouchers, official bonds and documents aforesaid.

Property to vest in trustees of hamlet.

Sec. 1627*d*. All suits pending and judgments recovered by or against any such township, together with all rights, interests, claims and demands, in favor of or against the same, may be continued, prosecuted, collected, or enforced by or against the hamlet; and all suits authorized by law to be brought by or against such township or township trustees, not caused by their non-compliance with this act, shall be prosecuted by or against the hamlet.

Suits, judgments, rights, interests, claims and demands.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 3, 1892.
57G

[House Bill No. 352.]

AN ACT

To amend sections 1380 and 1381, Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 1380 and 1381 of the Revised Statutes be amended so as to read as follows:

Civil townships:

Sec. 1380. If the limits of a municipal corporation do not comprise the whole of the established township or town-

Change of boundaries or

erection of new township.

ships in which it is situated, or if by change of the limits of such corporation, or otherwise, they include territory lying in more than one township, and the council of such corporation shall in either case, by a vote of the majority of the members thereof, petition the commissioners of the proper county for a change of township lines so as to make them identical in whole or in part with the limits of the corporation. or to erect a new township out of the portion of said township or townships included within the limits of said municipal corporation, such board of county commissioners may, on presentation of such petition, with the proceedings of the council duly authenticated, at any regular or adjourned session, change the boundaries of the township or townships, or erect such new township accordingly.

Annexation or erection of new township.

Sec. 1381. If, in making such change, any township not having within its limits a city or village is reduced in territory to less than twenty-two square miles, such township may be by the commissioners thereupon annexed to any contiguous township or townships, or the commissioners may annex thereto territory from any contiguous township or townships, and erect a new township, as in their opinion will best promote justice and public convenience; but if the majority of the householders of such reduced township outside the limits of such municipal corporation petition therefor, the commissioners may erect such reduced township into a new township.

Repeals.

SECTION 2. Said sections 1380 and 1381 are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 3, 1892.
58G

[House Bill No. 444.]

AN ACT

To authorize certain cities to use certain funds for the extinguishment of certain indebtedness of said cities.

Redemption of bonds (Tiffin).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That any city of the fourth grade, second class, having at the federal census of 1880, a population of not less than seven thousand eight hundred and seventy-five (7,875), nor more than seven thousand eight hundred and eighty-five (7 885), be, and is hereby authorized and empowered, through its city council, to use for the purpose of redeeming any outstanding bonded indebtedness of any such city, maturing March 1st, 1892, or September 1st, 1892, and payment of

which is not otherwise provided for, any funds now in said city's treasury, not otherwise needed for municipal purposes in the judgment of the city council of said city, including any unexpended balance now in the city treasury of any such city, derived from the sale of the refunding bonds of any such city, dated November 1st, 1891, and due September 1st, 1901, issued to extend the time of payment of the gas-works bonds of said city, dated July 1st, 1891.

SECTION 2. This act shall take effect from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 3, 1892.
59G

[Senate Bill No. 41.]

AN ACT

To amend section 1448 of the Revised Statutes of Ohio, as amended March 30, 1888, relative to the election of township officers.

Officers of civil townships:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 1448, as amended March 30, 1888, of the Revised Statutes of Ohio, be so amended as to read as follows:

Election of township officers.

Sec. 1448. After the judges and clerks have been qualified as aforesaid, the electors shall proceed to the election of one township clerk, one trustee, one township treasurer and such number of constables as may be directed by the trustees, and one supervisor of roads by the electors of each road district, and one assessor for the township, or if the township is divided into two or more election precincts, then for each precinct in which such election is held; provided, that when any precinct in any county is composed of territory from two or more townships, for the purpose of electing assessors such territory shall be considered as part of the precinct adjacent thereto, in the township in which it is located; and the judges and clerks in discharging their duties in said election shall be governed in all respects by the law regulating elections, but it shall not be necessary to send a poll-book to the clerk of the court of common pleas of the proper county; and in case any two or more persons have the highest and an equal number of votes for any one of the township offices directed to be filled, the clerk and judges of the election shall determine by lot which of the persons is duly elected; and the officers so elected shall hold their respective offices for the following terms, and until their successors are elected and qualified: Supervisors of roads and assessors, one year; township clerk and treasurer, two years; and constables, three

Assessor when precinct composed of territory from two or more townships.

Laws governing judges and clerks.

Tie vote.

Terms of office.

Trustees of new township.

years; and trustees, three years; provided, that at the first annual election of any new township there shall be elected three trustees, the one receiving the highest number of votes to serve three years; the one receiving the next highest number of votes to serve two years, and the one receiving the next highest number of votes to serve one year; should any two or more of those elected receive the same number of votes, they, at the first meeting of the board after their election, shall determine by lot the term for which each of them receiving an equal number of votes shall respectively hold the office; and provided, further, that at the next annual election after the passage of this act, and at the first election of any new township, a treasurer shall be elected for one year, and a clerk for two years, and thereafter a township treasurer and clerk shall not be elected at the same annual election. Provided, however, that in case of a vacancy in the office of either clerk or treasurer, his successor shall be elected for the unexpired term, at the next annual election thereafter, occurring more than thirty days after such vacancy shall happen.

Tie vote.

Treasurer and clerk.

Vacancy in office of clerk or treasurer.

Repeals, etc.

SECTION 2. Said original section 1448, as amended March 30, 1888, is hereby repealed, and this act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.

ANDREW L. HARRIS,
President of the Senate.

Passed March 7, 1892.

60G

[Senate Bill No. 112.]

AN ACT

To amend sections 1 and 5 of an act entitled "An act to authorize county commissioners in counties in which there are situated cities of the first grade of the second class to improve roads extending from such cities, and other roads or streets in certain cases," passed March 26, 1890.

Road and street improvements (Franklin county):

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections one (1) and five (5) of an act entitled "An act to authorize county commissioners in counties in which there are situated cities of the first grade of the second class to improve roads extending from such cities, and other roads or streets in certain cases," passed March 26, 1890, be amended so as to read as follows:

Extension and improvement of roads and streets outside Columbus.

Sec. 1. That in counties in which there are cities of the first grade of the second class, county commissioners shall have authority to cause any of the streets or avenues, or parts thereof of said cities which may have been paved with granite or other stone block, asphalt or other permanent material to the limit of said city, to be extended beyond the limits of said cities, and improved by paving as aforesaid, or by improving the same with such materials and in such manner as

may be prayed for by the property owners in the petition as provided for by section two of this act, or to cause any other road or street within said counties to be so improved upon the following conditions, to-wit:

Hearing of petition.

Sec. 5. Upon the day appointed for said hearing, if no claims for damages or for appropriations have been filed, or if whatever claims have been filed are allowed by the commissioners as hereinafter authorized, the hearing may proceed, and if, upon such hearing, the county commissioners shall be satisfied that the owners of a clear majority of the feet front of land abutting upon said proposed improved roadway favor said improvement, and that the proposed improvements are judicious, it shall be their duty to declare said improvement authorized and established, and to declare the width of said road legalized and established, as of the dimensions and manner as prayed for in said petition, and to make a permanent record of their said action. When said action is taken by the county commissioners they shall immediately notify the county surveyor of their action; said commissioners shall have authority to allow claims as presented or as may have been acted upon. They shall also have authority to sit as arbitrators, and hear all claims arising out of such proposed improvements. They may subpœna witnesses and hear testimony, and upon final hearing shall find and determine the amount, if any, fairly due the claimant, or that claimant is entitled to no damages. From such finding and determination of said commissioners, any property owner may appeal to the court of common pleas of said counties upon his filing with said commissioners his written notice of such appeal within five days after such finding and determination, and upon his giving bond, to be fixed by said court, within twenty days after such finding and determination, to pay all costs to be made upon such appeal, in case he does not recover upon such appeal a greater amount than such finding and determination of said commissioners award him. The award of the jury upon such appeal, including the costs thereof in case such award exceeds that found and determined by said commissioners, otherwise said costs shall be paid by the person taking such appeal, shall by the clerk of said court be certified to said commissioners and by them assessed as provided by section six of this act. Provided, no appeal shall hinder or delay the making of said improvement.

Authorizing of improvement.

Width of road; record of action.

Notification of county surveyor.

Allowance of claims.

Arbitration.

Determination of amount due claimant.

Appeal to court of common pleas; notice; bond.

Certification and assessment of award of jury and costs.

Delay of improvement.

Repeals.

SECTION 2. That said sections one (1) and five (5) as passed originally March 26, 1890, be and the same are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 7, 1892.
61G

[House Bill No. 40.]

AN ACT

To amend section 3893 of the Revised Statutes of Ohio.

School districts:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 3893 of the Revised Statutes of Ohio be so amended as to read as follows:

Transfer of territory from one district to another.

Map of territory transferred.

Appeal.

Approval or vacation of transfer.

When portion of village attached to city.

Existing indebtedness.

School tax.

Record of territory annexed.

Sec. 3893. A part or the whole of any district may be transferred to an adjoining district, by the mutual consent of the boards of education having control of such districts; but no such transfer shall take effect until a statement or map, showing the boundaries of the territory transferred, is entered upon the records of such boards, nor, except when the transfer is for the purpose of forming a joint subdistrict, until a copy of such statement or map, certified by the clerks of the board making the transfer, is filed with the auditor of the county in which the transferred territory is situate; and any person living in the territory so transferred may appeal to the county commissioners, as provided in section thirty-nine hundred and sixty-seven, and the commissioners, at their first regular meeting thereafter, shall approve or vacate such transfer; provided, however, that when a portion of a village has been attached to, and become a part of an adjoining city by annexation as provided in section sixteen hundred and fifteen, the portion of such village thus annexed to such city, shall be deemed to be thereby transferred from such village school district into such city school district, and the amount of the existing school indebtedness of such village school district shall be ascertained and apportioned by the county commissioners as provided in section sixteen hundred and fifteen; and the county auditor in the proper apportionment of the school tax for the respective school districts shall be governed by an accurate map of the territory so annexed as aforesaid; and the boards of education of the respective school districts shall, immediately after the passage of this act, cause to be entered upon the records of their respective boards a complete and correct description of the territory so annexed.

Repeals.

SECTION 2. That original section thirty-eight hundred and ninety-three be and the same is hereby repealed.

SECTION 3. This act shall be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 8, 1892.

62G

[House Bill No. 154.]

AN ACT

To amend section 2658 of the Revised Statutes of Ohio.

Streets:

SECTION 1. *Be it enacted by the General Assemb y of the State of Ohio*, That section 2658 of the Revised Statutes of Ohio be amended to read as follows:

Labor upon streets; who liable.

Sec. 2658. The council of any municipal corporation may require each able-bodied male person between the ages of twenty-one and fifty-five years, resident of the corporation or territory attached, as in this subdivision provided, to perform by himself, or substitute, in each year two days' labor upon the streets and alleys of such corporation, or upon the public roads or highways that lie within such attached territory, which labor shall be in lieu of the two days' labor required to be performed upon roads [and] highways; provided, that active members of volunteer engine companies, not exceeding sixty-four; or hook and ladder companies, not exceeding thirty; and hose companies, not exceeding twenty; shall be exempt from the performance of such labor during such membership, and having served faithfully as such for five consecutive years, shall be exempt for five years thereafter. Provided, that when the duly kept minutes of any of the above named companies show that the members thereof are entitled to the foregoing exemptions, the chief or foreman of such company or companies shall issue to all such members a certificate, signed also by the secretary of said company or companies. All members holding such certificates shall file the same with the clerk of such municipal corporation on or before the first Monday in April of each year. And provided further, that such labor may be commuted by the payment of three dollars, to be expended where the labor would have been applied.

Exemptions.

Certificates to exempts.

Commutation.

Repeals.

SECTION 2. That said section 2658 is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.

ANDREW L. HARRIS,
President of the Senate.

Passed March 8, 1892.
63G

[House Bill No. 166.]

AN ACT

To amend section 6884 of the Revised Statutes, as amended April 15, 1882. (79 vol., 131.)

Offenses against property:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 6884 of the Revised Statutes of the state of Ohio, as amended April 15, 1882, be so amended as to read as follows:

Obstructions on public sidewalks.

Sec. 6884. Whoever sets up any table, stand, tent, wagon or other article to use or let for profit, on a public footwalk or sidewalk constructed according to law, by any person or any board of education, the council of any municipal corporation, the trustees of any cemetery association, or any agricultural or religious society, or rides, drives, leads or hitches any horse or other animal on any such footwalk or sidewalk, or in any other way obstructs the same, or digs up or removes any of the material of which the same is composed, shall be fined not more than twenty-five nor less than five dollars, or imprisoned not more than ten days, or both.

Penalty.

Repeals.

SECTION 2. That said section 6884 of the Revised Statutes, as amended April 15, 1882, be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 8, 1892.
64G

[House Bill No 369.]

AN ACT

To authorize the council of any village which at the last federal census had, or which at any subsequent federal census may have a population of not less than 1,026 nor more than 1,036, to purchase cemetery grounds and to borrow money and issue bonds for that purpose.

Cemetery bonds (Woodsfield).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of any village which at the last federal census had, or which at any subsequent federal census may have a population of not less than 1,026 nor more than 1,036, be and they are hereby authorized to issue the bonds of said village, not exceeding in amount the sum of three thousand dollars, in denominations not exceeding five hundred dollars each, bearing interest not to exceed six per cent. per annum, payable annually, and to be payable in not less than two years nor more than ten years from their date, as the council may determine.

Amount; denomination; interest; payable.

General or special election.

SECTION 2. Said bonds shall not be issued by said council until the question shall have been first submitted to a vote of the qualified electors of said village at a general or special election, of which not less than ten days' notice shall be given by publication in some newspaper published in and of general circulation in said village; and at said election all those desiring to vote in favor of the issue of said bonds shall have written or printed on their ballots the words, "Issue of cemetery bonds—Yes," and all voters desiring to vote against the issue of said bonds shall have written or printed on their ballots the words, "Issue of cemetery bonds—No;" and if a majority of the electors voting at said election shall vote in

Notice.

Ballots.

Condition of issue.

favor of the issue of said bonds, then the council of said village may proceed as authorized by this act but not otherwise.

SECTION 3. Provided, however, should the authority to issue said bonds be ratified by the electors of said village, as provided in section two of this act, said bonds shall not be sold for less than their par value, with accrued interest, and the proceeds thereof shall be placed in the village treasury to the credit of the cemetery fund, and expended in the purchase and improvement of cemetery grounds for said village. Sale; disposition of proceeds.

SECTION 4. The council of said village is hereby authorized to levy a tax upon the taxable property of said village, not exceeding the sum of three mills, annually, to be applied in payment of the principal and interest of said bonds, until the same have been fully paid; said tax to be levied and collected in the same manner as other taxes. Tax levy.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 8, 1892.
65G

[House Bill No. 429.]

AN ACT

To authorize the council of any incorporated village in the state of Ohio which had, according to the federal census of 1890, or which at any subsequent federal census may have a population of not less than 1,215 nor more than 1,225, to issue bonds for the purpose of providing said village with a system of public water-works.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of any incorporated village in the state of Ohio which had, according to the federal census of 1890, or which at any subsequent federal census may have a population of not less than 1,215 nor more than 1,225, be and is hereby authorized to issue the bonds of such village in a sum not exceeding thirty thousand dollars ($30,000), for the purpose of providing such village with a system of water-works. Water works bonds (Willoughby). Amount.

SECTION 2. Said bonds shall be signed by the mayor of such village and countersigned by the clerk of such village; said bonds shall not be sold for less than their par value, and shall be issued in amounts of five hundred dollars ($500.00) each, and shall bear interest at a rate not exceeding six per cent. per annum from the date of issue, payable semi-annually on the first day of April and October of each year; the principal shall be paid at such times as the council of such village may determine by ordinance, within a period not exceeding thirty years; provided, however, that the council of such village shall have the right and authority to pay all Issue and sale. Denomination; interest. Payment of principal.

Obstructions on public sidewalks.

Sec. 6884. Whoever sets up any table, stand, tent, wagon or other article to use or let for profit, on a public footwalk or sidewalk constructed according to law, by any person or any board of education, the council of any municipal corporation, the trustees of any cemetery assocation, or any agricultural or religious society, or rides, drives, leads or hitches any horse or other animal on any such footwalk or sidewalk, or in any other way obstructs the same, or digs up or removes any of the material of which the same is composed, shall be fined not more than twenty-five nor less than five dollars, or imprisoned not more than ten days, or both.

Penalty.

Repeals.

SECTION 2. That said section 6884 of the Revised Statutes, as amended April 15, 1882, be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 8, 1892.
64G

[House Bill No 369.]

AN ACT

To authorize the council of any village which at the last federal census had, or which at any subsequent federal census may have a population of not less than 1,026 nor more than 1,036, to purchase cemetery grounds and to borrow money and issue bonds for that purpose.

Cemetery bonds (Woodsfield).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of any village which at the last federal census had, or which at any subsequent federal census may have a population of not less than 1,026 nor more than 1,036, be and they are hereby authorized to issue the bonds of said village, not exceeding in amount the sum of three thousand dollars, in denominations not exceeding five hundred dollars each, bearing interest not to exceed six per cent. per annum, payable annually, and to be payable in not less than two years nor more than ten years from their date, as the council may determine.

Amount; denomination; interest; payable.

General or special election.

SECTION 2. Said bonds shall not be issued by said council until the question shall have been first submitted to a vote of the qualified electors of said village at a general or special election, of which not less than ten days' notice shall be given by publication in some newspaper published in and of general circulation in said village; and at said election all those desiring to vote in favor of the issue of said bonds shall have written or printed on their ballots the words, "Issue of cemetery bonds—Yes," and all voters desiring to vote against the issue of said bonds shall have written or printed on their ballots the words, "Issue of cemetery bonds—No;" and if a majority of the electors voting at said election shall vote in

Notice.

Ballots.

Condition of issue.

favor of the issue of said bonds, then the council of said village may proceed as authorized by this act but not otherwise.

SECTION 3. Provided, however, should the authority to issue said bonds be ratified by the electors of said village, as provided in section two of this act, said bonds shall not be sold for less than their par value, with accrued interest, and the proceeds thereof shall be placed in the village treasury to the credit of the cemetery fund, and expended in the purchase and improvement of cemetery grounds for said village. Sale; disposition of proceeds.

SECTION 4. The council of said village is hereby authorized to levy a tax upon the taxable property of said village, not exceeding the sum of three mills, annually, to be applied in payment of the principal and interest of said bonds, until the same have been fully paid; said tax to be levied and collected in the same manner as other taxes. Tax levy.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 8, 1892.
65G

[House Bill No. 429.]

AN ACT

To authorize the council of any incorporated village in the state of Ohio which had, according to the federal census of 1890, or which at any subsequent federal census may have a population of not less than 1,215 nor more than 1,225, to issue bonds for the purpose of providing said village with a system of public water-works.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of any incorporated village in the state of Ohio which had, according to the federal census of 1890, or which at any subsequent federal census may have a population of not less than 1,215 nor more than 1,225, be and is hereby authorized to issue the bonds of such village in a sum not exceeding thirty thousand dollars ($30,000), for the purpose of providing such village with a system of water-works. Water works bonds (Willoughby). Amount.

SECTION 2. Said bonds shall be signed by the mayor of such village and countersigned by the clerk of such village; said bonds shall not be sold for less than their par value, and shall be issued in amounts of five hundred dollars ($500.00) each, and shall bear interest at a rate not exceeding six per cent. per annum from the date of issue, payable semi-annually on the first day of April and October of each year; the principal shall be paid at such times as the council of such village may determine by ordinance, within a period not exceeding thirty years; provided, however, that the council of such village shall have the right and authority to pay all Issue and sale. Denomination; interest. Payment of principal.

Obstructions on public sidewalks.

Sec. 6884. Whoever sets up any table, stand, tent, wagon or other article to use or let for profit, on a public footwalk or sidewalk constructed according to law, by any person or any board of education, the council of any municipal corporation, the trustees of any cemetery assocation, or any agricultural or religious society, or rides, drives, leads or hitches any horse or other animal on any such footwalk or sidewalk, or in any other way obstructs the same, or digs up or removes any of the material of which the same is composed, shall be fined not more than twenty-five nor less than five dollars, or imprisoned not more than ten days, or both.

Penalty.

Repeals.

SECTION 2. That said section 6884 of the Revised Statutes, as amended April 15, 1882, be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 8, 1892.
64G

[House Bill No 369.]

AN ACT

To authorize the council of any village which at the last federal census had, or which at any subsequent federal census may have a population of not less than 1,026 nor more than 1,036, to purchase cemetery grounds and to borrow money and issue bonds for that purpoee.

Cemetery bonds (Woodsfield).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of any village which at the last federal census had, or which at any subsequent federal census may have a population of not less than 1,026 nor more than 1,036, be and they are hereby authorized to issue the bonds of said village, not exceeding in amount the sum of three thousand dollars, in denominations not exceeding five hundred dollars each, bearing interest not to exceed six per cent. per annum, payable annually, and to be payable in not less than two years nor more than ten years from their date, as the council may determine.

Amount; denomination; interest; payable.

General or special election.

SECTION 2. Said bonds shall not be issued by said council until the question shall have been first submitted to a vote of the qualified electors of said village at a general or special election, of which not less than ten days' notice shall be given by publication in some newspaper published in and of general circulation in said village; and at said election all those desiring to vote in favor of the issue of said bonds shall have written or printed on their ballots the words, "Issue of cemetery bonds—Yes," and all voters desiring to vote against the issue of said bonds shall have written or printed on their ballots the words, "Issue of cemetery bonds—No;" and if a majority of the electors voting at said election shall vote in

Notice.

Ballots.

Condition of issue.

favor of the issue of said bonds, then the council of said village may proceed as authorized by this act but not otherwise.

SECTION 3. Provided, however, should the authority to issue said bonds be ratified by the electors of said village, as provided in section two of this act, said bonds shall not be sold for less than their par value, with accrued interest, and the proceeds thereof shall be placed in the village treasury to the credit of the cemetery fund, and expended in the purchase and improvement of cemetery grounds for said village. Sale; disposition of proceeds.

SECTION 4. The council of said village is hereby authorized to levy a tax upon the taxable property of said village, not exceeding the sum of three mills, annually, to be applied in payment of the principal and interest of said bonds, until the same have been fully paid; said tax to be levied and collected in the same manner as other taxes. Tax levy.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 8, 1892.
65G

[House Bill No. 429.]

AN ACT

To authorize the council of any incorporated village in the state of Ohio which had, according to the federal census of 1890, or which at any subsequent federal census may have a population of not less than 1,215 nor more than 1,225, to issue bonds for the purpose of providing said village with a system of public water-works.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of any incorporated village in the state of Ohio which had, according to the federal census of 1890, or which at any subsequent federal census may have a population of not less than 1,215 nor more than 1,225, be and is hereby authorized to issue the bonds of such village in a sum not exceeding thirty thousand dollars ($30,000), for the purpose of providing such village with a system of water-works. Water works bonds (Willoughby). Amount.

SECTION 2. Said bonds shall be signed by the mayor of such village and countersigned by the clerk of such village; said bonds shall not be sold for less than their par value, and shall be issued in amounts of five hundred dollars ($500.00) each, and shall bear interest at a rate not exceeding six per cent. per annum from the date of issue, payable semi-annually on the first day of April and October of each year; the principal shall be paid at such times as the council of such village may determine by ordinance, within a period not exceeding thirty years; provided, however, that the council of such village shall have the right and authority to pay all Issue and sale. Denomination; interest. Payment of principal.

or any part of the bonds outstanding after ten years from the date of their issue, by giving ninety days' notice to the owners or holders of such outstanding bonds.

Additional tax levy.

SECTION 3. That the council of any such village is hereby authorized to annually levy a tax on all the taxable property of such village, in addition to that now authorized by law, sufficient in amount to meet the payment of said bonds and interest as the same shall become due.

Water-works.

SECTION 4. The funds realized from the sale of said bonds shall be used by the council of such village for the purpose of erecting, constructing and paying for water-works for such village, which water-works, when completed, shall be used, operated and controlled in such manner as may be prescribed by law and the ordinances of such village.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.

ANDREW L. HARRIS,
President of the Senate.

Passed March 8, 1892.

66G

[House Bill No. 447.]

AN ACT

To amend an act entitled "An act to authorize the village council of any village having a population at the last federal census or any subsequent federal census of not less than five hundred nor more than five hundred and ten to issue bonds to aid in piking and improving the streets of such village," passed February 24, 1892.

Municipal corporations:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That an act entitled "An act to authorize the village council of any village having a population at the last federal census or any subsequent federal census of not less than five hundred nor more than five hundred and ten to issue bonds to aid in piking and improving the streets of such village," passed February 24, 1892, be amended so as to read as

Street improvement bonds (Middle Point).

follows: That for the purpose of piking and improving any village having a population at the last federal census or any subsequent federal census of not less than four hundred and thirty or more than four hundred and thirty-five, the council of such village is hereby authorized to issue the bonds of such incorporated village, signed by the mayor and clerk thereof for an amount not exceeding five thousand dollars, payable in five annual payments of one thousand dollars each, commencing not later than twenty years from date of issuing the same; said bonds shall bear interest at a rate not exceeding six per cent. per annum, to be paid annually, and shall not be sold for less than their par value and shall not bear interest until sold; the money realized from the sale of said bonds shall be used

Amount.

Payable.

Interest.

Sale.

Application of proceeds.

by said council to pike and improve the streets of such village.

SECTION 2. For purpose of paying bonds issued under section (1) of this act and interest thereon as the same becomes due, said council shall annually levy a tax on taxable property in said village sufficient therefor. Annual tax levy.

SECTION 3. The clerk of said council shall keep a record of said bonds, showing the number, amount and date of each when due, and the rate of interest, and when paid they shall be taken up and canceled and the fact noted on the record. Record of bonds.

SECTION 4. Said bonds shall not be issued nor said tax assessed until the question shall be submitted to the voters of said village at a general or special election of which at least ten days' notice shall be given by written or printed notices posted up in at least five public places in said village; at said election, all voters desiring to vote in favor of issuing said bonds and levying said taxes shall have written or printed on their ballots the words "Pike—Yes;" and all voters desiring to vote against issuing said bonds and levying said taxes shall have written or printed on their ballots the words "Pike—No;" no bonds shall be issued nor taxes levied under this act unless two-thirds of the votes cast at said election shall be favorable thereto. General or special election. Notice. Ballots. Issue of bonds conditional.

SECTION 5. Said election shall be held and controlled by said council of said village at the usual place of holding elections in said village, and the polls shall be kept open at least five hours, closing at six o'clock p. m.; the clerk of said village shall be clerk of said election and shall enter a complete record of said election on the records of said village and shall file and preserve all poll-books, tally-sheets and other papers pertaining to said election. Conduct of election. Duties of village clerk.

SECTION 6. The said original act passed February 24, 1892, is hereby repealed; and this act shall take effect and be in force from and after its passage. Repeals, etc.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 8, 1892.
67G

[Senate Bill No. 38.]

AN ACT

To amend section 3234 of the Revised Statutes, as amended May 18, 1886.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 3234 of the Revised Statutes of the state of Ohio be so amended [as] to read as follows: Creation of corporations, etc.:

Sec. 3234. Corporations created before the adoption of the present constitution, which take any action under or in Corporations created prior to 1851.

pursuance of this title, shall thereby and thereafter be deemed to have consented, and shall be held to be a corporation, and to have and exercise all and singular its franchises under the present constitution and the laws passed in pursuance thereof, and not otherwise; provided, that any fire insurance company so created, complying with the requirements of sections three thousand six hundred and fifty-four, and three thousand six hundred and fifty-five, or of any police regulation contained in chapter eleven of this title, or in chapter eight of title three, part first, shall not be deemed to have consented, and shall not be affected by the provisions of this section by reason of such compliance.

Fire insurance companies.

Repeals.

SECTION 2. That said original section 3234 as amended May 18, 1886, is hereby repealed, and this act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 8, 1892.
68G

[Senate Bill No. 58.]

AN ACT

To provide for the reorganization of boards of education in city districts of the second grade of the first class.

Board of education (Cleveland).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That boards of education in city districts of the second grade of the first class shall consist of a school council and a school director.

LEGISLATIVE.

School council: how constituted and elected; meetings.

SECTION 2. The legislative power and authority shall be vested in the school council, which shall consist of seven members, to be elected by the qualified electors residing in such district, and which shall meet at such times as required by law for the meeting of the board of education in such districts.

Resolution levying tax.

No resolution levying a tax shall be adopted unless the resolution, together with the estimates on which the same is based, has been submitted to and approved by the board of tax commissioners in the city located in full or in part in such districts.

School council: election and term.

SECTION 3. The first election for such council shall be held on the first Monday of April, 1892, at which election three members of the council shall be elected for a term of two years and their successors shall be elected at the annual municipal election for 1894, and biennially thereafter, and four members of the council shall at such election in 1892 be elected for a term of three years and their successors shall be elected at the annual municipal election of 1895 for a term

of two years and biennially thereafter, and all members of the council shall serve until their successors are elected and qualified. The council shall organize annually by choosing one of their members president, also a clerk who shall not be a member thereof, and who shall be clerk of the board of education. And he shall receive a salary to be fixed by the council, which shall not exceed two thousand dollars ($2,000.00) per year.

President and clerk.

Salary of clerk.

SECTION 4. Every legislative act of the council shall be by resolution. Every resolution involving an expenditure of money or the approval of a contract for the payment of money, or for the purchase, sale, lease or transfer of property, or levying any tax, or for the change or adoption of any textbook, shall, before it takes effect be presented, duly certified by the clerk, to the school director for approval. The director, if he approve such resolution, shall sign it; but if he does not approve it he shall return the same to the council at its next meeting, with his objections, which objections the council shall cause to be entered upon its journal, and if he does not return the same within the time above limited, it shall take effect in the same manner as if he had signed it; provided, that the director may approve or disapprove the whole, or any item or part of any resolution appropriating money; and further provided, that any item disapproved shall have no bearing or connection with any other part of such resolution. When the director refuses to sign any such resolution or part thereof, and returns it to the council with his objections, the council shall forthwith proceed to reconsider it; and, if the same is approved by a vote of four-fifths of all the members elected to the council, it shall then take effect as if it had received the signature of the director; and in all such cases the votes shall be taken by yeas and nays and entered on records of the council.

Resolutions; presentation of certain to director.

Director's approval; return to council when vetoed.

Failure to return in time limited.

Resolution appropriating money.

Reconsideration by council.

Passage over director's veto.

Yeas and nays; record.

SECTION 5. The council shall have power to provide for the appointment of all necessary teachers and employes and prescribe their duties and fix their compensation. It shall also have the same powers and perform the same duties in relation to the library board and manual and domestic training schools as are now vested in and exercised by the boards of education of city districts of the second grade of the first class.

Teachers and employes.

Libraries; manual and domestic training schools.

EXECUTIVE.

SECTION 6. The school director shall be elected by the qualified electors of the district, and, except as otherwise provided in this act, all the powers heretofore vested in and performed by the board of education in such districts, shall be vested in and performed by him.

School director: election and powers.

SECTION 7. The first election for such director shall be held on the first Monday of April, 1892, and the director so elected shall serve until his successor is elected and qualified; and such successor shall be elected at the time of the annual municipal election for 1894, and biennially thereafter.

First election; term.

Subsequent elections.

Duties. Salary.

SECTION 8. The director shall devote his entire time to the duties of his office, and shall receive an annual salary of five thousand ($5,000) dollars, payable monthly out of the school funds of the district; and before entering upon the discharge of the duties of his office shall give bond for the faithful performance thereof in the sum of twenty-five thousand ($25.000) dollars, with not less than two sureties to be approved by the board, which bond shall be deposited with the clerk within ten days from date of election, and preserved by him.

Bond.

Vacancies.

SECTION 9. In case of any vacancy in the office of school director or member of the council, the council may, by the vote of the majority of all the members elected, fill such vacancy until the next annual municipal election occurring more than thirty days after such vacancy occurs, when the same shall be filled by election for unexpired term.

Superintendent of instruction. Term. Removal.

SECTION 10. The school director shall, subject to the approval of and confirmation by the council, appoint a superintendent of instruction, who shall remain in office during good behavior, and the school director may at any time, for sufficient cause, remove him; but the order for such removal shall be in writing, specifying the cause therefor, and shall be entered upon the records of his office; and he shall forthwith report the same to the council, together with the reasons therefor. The superintendent of instruction shall have the sole power to appoint and discharge all assistants and teachers authorized by the council to be employed, and shall report to the school director in writing annually, and oftener if required, as to all matters under his supervision, and may be required by the council to attend any or all of its meetings; and except as otherwise provided in this act, all employes of the board of education shall be appointed or employed by the school director. He shall report to the council annually, or oftener if required, as to all matters under his supervision. He shall attend all meetings of the council and may take part in its deliberations, subject to its rules, but shall not have the right to vote.

Powers and duties.

Powers and duties of director.

ACCOUNTS—DIRECTOR OF ACCOUNTS.

Auditor of board. General duties.

SECTION 11. The city auditor of the city located in whole or in part in such district, shall be the auditor of the board of education of such district. He shall keep an accurate account of all taxes levied for school purposes, and of all moneys due to, received and disbursed by the board; also of all assets and liabilities of, and all appropriations made by the school council, and shall receive and preserve all vouchers for payments and disbursements made to or by the board.

Warrants for money. Approval of claims.

SECTION 12. He shall issue all warrants for the payment of money from the school funds, but no warrant shall be issued for the payment of any claim until such claim is approved by the school director, except the pay-roll for assistants in school work and teachers, which shall be approved by the president and clerk and the superintendent of instruction.

Evidence as to accuracy and legality of claims.

SECTION 13. Whenever a claim shall be presented to the auditor, he shall have power to require evidence that the amount claimed is justly due and is in conformity to the law, and for that purpose he may summon before him any officer, agent or employe of the board, or any other person, and examine him on oath or affirmation relative thereto, which oath or affirmation he may administer.

Appropriations for payment of claims.

SECTION 14. No money shall be drawn from the treasury except in pursuance of appropriations made by the school council, and whenever an appropriation is made by the council the clerk shall forthwith give notice thereof to the auditor and treasurer. No appropriations shall be made for a longer period than for the end of the current year, and at the end of each year, all the unexpended balances of appropriations shall revert to the school fund.

Individual liability of auditor and sureties.

SECTION 15. If the auditor shall draw a warrant for any claim contrary to law, he and his sureties shall be individually liable for the amount of the same.

Auditor's reports.

SECTION 16. The auditor shall submit to the council, annually, and oftener if required by it, a report of the accounts of the board, verified by his oath, exhibiting the revenues, receipts, disbursements, assets and liabilities of the board, the sources from which the revenues and funds are derived, and in what manner the same have been disbursed. He shall give bond for the faithful discharge of his duties in the sum of twenty thousand ($20,000) dollars, with not less than two sureties, and which shall be approved by the council and filed with the clerk. The auditor shall receive no compensation for his services as auditor, but the council shall provide for the appointment of such assistants for the auditor as it shall deem necessary, and fix their compensation, which shall be paid monthly out of the school funds; but such assistants shall be appointed by the auditor.

Bond.

Compensation; assistants.

Moneys due board.

SECTION 17. All money due to the board shall be paid to the treasurer upon the warrant of the auditor, which alone shall be sufficient to authorize such payment; no person except the treasurer shall collect or receive any moneys due the board, and any payments made, except to such treasurer, and any receipt given therefor by any person shall be void as against the board.

Office of certain auditor abolished.

SECTION 18. The office of auditor of the board of education as provided by section 3980 of the Revised Statutes is hereby abolished; to take effect upon the organization of the board of education, as herein provided.

CONTRACTS.

When contract, etc., binding.

SECTION 19. No contract, agreement or obligation shall be binding upon the board unless an appropriation therefor shall have been first made by the council.

When to be in writing, etc.

SECTION 20. All contracts involving more than two hundred and fifty ($250) dollars in amount shall be in writing, executed in the name of the board of education by

Duties. Salary. Bond.

SECTION 8. The director shall devote his entire time to the duties of his office, and shall receive an annual salary of five thousand ($5,000) dollars, payable monthly out of the school funds of the district; and before entering upon the discharge of the duties of his office shall give bond for the faithful performance thereof in the sum of twenty-five thousand ($25.000) dollars, with not less than two sureties to be approved by the board, which bond shall be deposited with the clerk within ten days from date of election, and preserved by him.

Vacancies.

SECTION 9. In case of any vacancy in the office of school director or member of the council, the council may, by the vote of the majority of all the members elected, fill such vacancy until the next annual municipal election occurring more than thirty days after such vacancy occurs, when the same shall be filled by election for unexpired term.

Superintendent of instruction. Term. Removal.

SECTION 10. The school director shall, subject to the approval of and confirmation by the council, appoint a superintendent of instruction, who shall remain in office during good behavior, and the school director may at any time, for sufficient cause, remove him; but the order for such removal shall be in writing, specifying the cause therefor, and shall be entered upon the records of his office; and he shall forthwith report the same to the council, together with the reasons therefor. The superintendent of instruction shall have the sole power to appoint and discharge all assistants and teachers authorized by the council to be employed, and shall report to the school director in writing annually, and oftener if required, as to all matters under his supervision, and may be required by the council to attend any or all of its meetings; and except as otherwise provided in this act, all employes of the board of education shall be appointed or employed by the school director. He shall report to the council annually, or oftener if required, as to all matters under his supervision. He shall attend all meetings of the council and may take part in its deliberations, subject to its rules, but shall not have the right to vote.

Powers and duties.

Powers and duties of director.

ACCOUNTS—DIRECTOR OF ACCOUNTS.

Auditor of board. General duties.

SECTION 11. The city auditor of the city located in whole or in part in such district, shall be the auditor of the board of education of such district. He shall keep an accurate account of all taxes levied for school purposes, and of all moneys due to, received and disbursed by the board; also of all assets and liabilities of, and all appropriations made by the school council, and shall receive and preserve all vouchers for payments and disbursements made to or by the board.

Warrants for money. Approval of claims.

SECTION 12. He shall issue all warrants for the payment of money from the school funds, but no warrant shall be issued for the payment of any claim until such claim is approved by the school director, except the pay-roll for assistants in school work and teachers, which shall be approved by the president and clerk and the superintendent of instruction.

SECTION 13. Whenever a claim shall be presented to the auditor, he shall have power to require evidence that the amount claimed is justly due and is in conformity to the law, and for that purpose he may summon before him any officer, agent or employe of the board, or any other person, and examine him on oath or affirmation relative thereto, which oath or affirmation he may administer. Evidence as to accuracy and legality of claims.

SECTION 14. No money shall be drawn from the treasury except in pursuance of appropriations made by the school council, and whenever an appropriation is made by the council the clerk shall forthwith give notice thereof to the auditor and treasurer. No appropriations shall be made for a longer period than for the end of the current year, and at the end of each year, all the unexpended balances of appropriations shall revert to the school fund. Appropriations for payment of claims.

SECTION 15. If the auditor shall draw a warrant for any claim contrary to law, he and his sureties shall be individually liable for the amount of the same. Individual liability of auditor and sureties.

SECTION 16. The auditor shall submit to the council, annually, and oftener if required by it, a report of the accounts of the board, verified by his oath, exhibiting the revenues, receipts, disbursements, assets and liabilities of the board, the sources from which the revenues and funds are derived, and in what manner the same have been disbursed. He shall give bond for the faithful discharge of his duties in the sum of twenty thousand ($20,000) dollars, with not less than two sureties, and which shall be approved by the council and filed with the clerk. The auditor shall receive no compensation for his services as auditor, but the council shall provide for the appointment of such assistants for the auditor as it shall deem necessary, and fix their compensation, which shall be paid monthly out of the school funds; but such assistants shall be appointed by the auditor. Auditor's reports. Bond. Compensation; assistants.

SECTION 17. All money due to the board shall be paid to the treasurer upon the warrant of the auditor, which alone shall be sufficient to authorize such payment; no person except the treasurer shall collect or receive any moneys due the board, and any payments made, except to such treasurer, and any receipt given therefor by any person shall be void as against the board. Moneys due board.

SECTION 18. The office of auditor of the board of education as provided by section 3980 of the Revised Statutes is hereby abolished; to take effect upon the organization of the board of education, as herein provided. Office of certain auditor abolished.

CONTRACTS.

SECTION 19. No contract, agreement or obligation shall be binding upon the board unless an appropriation therefor shall have been first made by the council. When contract, etc., binding.

SECTION 20. All contracts involving more than two hundred and fifty ($250) dollars in amount shall be in writing, executed in the name of the board of education by When to be in writing, etc.

Limit of contracts and purchases director may make.

the school director and approved by the council. When money therefor has been appropriated by the council, the school director may make contracts and purchases not exceeding two hundred and fifty ($250) dollars in amount at any one time, but all such contracts shall be forthwith reported to the auditor.

Proceedings when cost of proposed improvement exceeds fifteen hundred dollars; exceptions.

SECTION 21. When the school council determines to build, enlarge, repair or furnish a school-house or school-houses, or make any improvement or repair, the cost of which will exceed fifteen hundred dollars, except in cases of urgent necessity or for the security and protection of school property, it shall proceed as follows:

Bids: advertisement for.

1. The school director shall advertise for bids for a period of four weeks, once each week, in not exceeding two newspapers of general circulation in the district; which advertisement shall be entered in full on the records of the school director; and all advertising shall be paid for at not exceeding legal rates as provided in section 4366 of the Revised Statutes.

Filing.

2. The bids, duly sealed up, shall be filed with the clerk by 12 o'clock, noon, of the last day stated in the advertisement.

Opening, reading and recording.

3. The bids shall be opened by the school director at the next meeting of the council, be publicly read by the clerk, and entered in full upon the records of the council.

Contents; security to accompany.

4. Each bid shall contain the name of every person interested in the same, and shall be accompanied by a sufficient guaranty of some disinterested person that if the bid be accepted a contract will be entered into, and the performance of it properly secured.

Separate estimates for labor and materials.

5. When both labor and materials are embraced in the work bid for, each must be separately stated in the bid with the price thereof.

Acceptance or rejection.

6. None but the lowest responsible bid shall be accepted, but the school director may, at his discretion, reject all the bids, or accept any bid for both labor and materials which is the lowest in the aggregate for such improvement or repair.

Acceptance of part and rejection of residue.

7. Any part of a bid which is lower than the same part of any other bid shall be accepted, whether the residue of the bid is higher or not; and if it is higher, such residue shall be rejected.

Contract between whom; payment; monthly estimates.

8. The contract shall be between the board of education and the bidders, and the board shall pay the contract price for the work when it is completed, in cash, and make up monthly estimates as the work progresses.

When two or more bids equal, etc.

9. When two or more bids are equal in the whole or in any part thereof, and are lower than any others, either may be accepted, but in no case shall the work be divided between the makers thereof.

In case of collusion or combination.

10. When there is a reason to believe that there is any collusion or combination among the bidders, or any number of them, the bids of those concerned therein shall be rejected.

GENERAL.

SECTION 22. Any member of the school council or the director may be impeached for misfeasance or malfeasance in office, by a proceeding in the probate court in the county in which said school district is situated on complaint thereof under oath filed therein by any elector of the school district, signed and approved by four electors thereof; and thereupon such proceedings shall be had and judgment rendered as provided in sections 1732 and 1736 inclusive of the Revised Statutes, for the impeachment of officers of municipal corporations; and the costs and expenses of the trial shall be charged upon the party filing the complaint, the accused or the board of education or apportioned among them, as the judge may see fit to direct, and shall be collected as in other cases, provided that no costs or expenses shall be charged to the accused, if he is acquitted.

Impeachment of director or member of council.

Costs.

SECTION 23. The members of the board of education in city districts of the second grade, first class, in office when this act takes effect, shall continue in office until the school council is organized as herein provided, at which time their powers and duties shall cease and determine, and their offices thenceforth shall be and are hereby abolished.

Offices of certain members of board abolished.

SECTION 24. Section 3899 of the Revised Statutes is hereby repealed; and all provisions of law in force when this act takes effect, which are inconsistent with any provision of this act, shall be held to be superseded by the latter, as to the matter of inconsistency, and not otherwise, as to city districts of the second grade of the first class.

Repeals; inconsistent laws.

SECTION 25. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.

ANDREW L. HARRIS,
President of the Senate.

Passed March 8, 1892.

69G

[Senate Bill No. 125]

AN ACT

To provide for the election of an additional judge of the court of common pleas in the eighth judicial district.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That for the eighth judicial district of the state of Ohio, there shall be an additional judge of the court of common pleas, who shall be a resident of the first subdivision, composed of the counties of Muskingum, Morgan, Guernsey and Noble, to be elected by the qualified voters of said counties as herein provided.

Additional judge in first subdivision eighth district.

First election; beginning of term

SECTION 2. That the first election for said additional judge shall be held on the first Monday in April, A. D. 1892, and his term of office shall commence on the 18th day of April, next thereafter.

Notice and conduct of election.

SECTION 3. It shall be the duty of the sheriff in each county of said first subdivision, at least fifteen days prior to the first Monday of April, A. D. 1892, and at least fifteen days prior to the first Tuesday after the first Monday in November of each year, immediately prior to the expiration of each successive term of office of such additional judge, to give notice by proclamation according to law of the time and place for holding the election for such additional judge, which election shall be held at the time and place for the general election of state and county officers, and shall be conducted and the returns thereof be made in the manner required by law in case of election of other judges of the court of common pleas.

Compensation; powers; jurisdiction; duties.

SECTION 4. Said additional judge shall receive the same salary as other judges of the court of common pleas, and when so elected and qualified shall have in all respects the same powers and jurisdiction and discharge all the duties conferred and enjoined by the constitution and laws of this state upon the judges of said court; and any vacancy that may occur in the office of such additional judge by death, resignation or otherwise, shall be filled as in other cases of vacancy in the office of judge of said court.

Vacancy.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 8, 1892.
70G

[Senate Bill No. 29.]

AN ACT

To provide for the payment of publishing the constitutional amendments not heretofore paid.

Appropriation for Joseph Silberberg.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and is hereby appropriated out of any moneys in the state treasury to the credit of the general revenue fund, not otherwise appropriated, a sum not to exceed forty-eight dollars, for the purpose of paying Joseph Silberberg for the publishing of the proposed constitutional amendments provided for by the act passed April 25, 1891; the same shall be paid in accordance with section three of said act, for five months next preceding the general election of November, 1891, upon the warrant of the auditor of state, upon a voucher approved by the supervisor of public printing.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 10, 1892.
71G

[House Bill No. 46.]

AN ACT

To amend section 2275 of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2275 be and the same is hereby amended so as to read as follows:

Assessments:

Sec. 2275. For the purposes of assessment, a city of the first grade and a city of the third grade of the first class shall in all cases be considered a property owner as to intersections, and any other property belonging to the corporation abutting on the street or highway so improved; and the assessment chargeable to the corporation, together with at least one-fiftieth part of all costs and expenses, as provided for in section 2273, may be included in any bonds issued for the improvement, and be paid by it in like manner as by other property owners; and it shall not be necessary, before the making of improvements or acquiring of property by condemnation in such cities, when the cost of such improvement or condemnation is to be collected by assessment upon abutting property, that the auditor shall certify as required by section 2699 and section 2702 of the Revised Statutes, that the money is in the treasury to meet that part of the cost which is herein provided shall be chargeable against such city; nor shall such auditor's certificate be required when the cost of property appropriated by such city is to be paid for by the city until after the amount of compensation to be paid for such property has been fixed by judicial proceedings and until before the final passage of the ordinance providing for the payment of such compensation.

Intersections and other property of corporation (Cincinnati and Toledo).

Bonds for improvement.

Restrictions inapplicable.

SECTION 2. That said section 2275 of the Revised Statutes be and the same is hereby repealed.

Repeals.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 10, 1892.
72G

[House Bill No. 49.]

AN ACT

To amend section 1504 of the Revised Statutes of Ohio, as amended May 1, 1891 (88 O. L., p. 484).

Township clerk:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 1504 of the Revised Statutes of Ohio, as amended May 1, 1891, be amended to read as follows:

Detailed statement.

Sec. 1504. He shall, immediately after the township officers have made their annual settlement of accounts, make out and enter in the record in which the proceedings of the trustees are recorded, a detailed statement of all the receipts and the expenditures of the township for the preceding year, if any, and also the receipts and expenditures of the township board of education stating from what source the moneys were received, and to whom paid, and for what expended, and a detailed statement of all liabilities, if any, a copy of which statement he shall post up at least ten days before the first Monday of April, annually, with one notice of the township election and also a copy on the morning of the first Monday of April, annually, at each place of holding township elections in such township. Any township clerk refusing or neglecting to make out, enter and publish said detailed statement, shall be liable to a fine of not more than thirty dollars, nor less than twenty-five dollars, recoverable before any justice of the peace of the township, and to be paid into the school fund of the township.

Penalty.

Repeals.

SECTION 2. That said original section 1504, as amended May 1, 1891, be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 10, 1892.
73G

[Senate Bill No. 84.]

AN ACT

To amend section 3309*a* of the Revised Statutes, as amended April 11th, 1890.

Railroad companies:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 3309*a* of the Revised Statutes of Ohio, as amended April 11th, 1890, be so amended as to read as follows:

Securities for borrowed money in lieu

Sec. 3309*a*. Any railroad company now or hereafter organized under the laws of this state, and any such company

of preferred stock.

which now is or shall hereafter be consolidated with other companies, as provided in sections thirty-three hundred and seventy-nine, thirty-three hundred and eighty, thirty-three hundred and eighty-one and thirty-three hundred and eighty-two of the Revised Statutes, may, at a meeting of its stockholders, called as provided in section thirty-three hundred and eight, in lieu of issuing preferred stock as provided in section thirty-three hundred and nine, provide for borrowing money to locate, construct and equip its proposed line of railway, or for the purpose of leasing or purchasing and equipping branch or connecting roads constructed or in process of construction, not exceeding ten miles in length, or for redeeming or exchanging any part or all of its previously issued bonds, or for funding its floating debt, or for any or all of said purposes, in such an amount as it may deem necessary, not exceeding its authorized capital stock, but companies formed by consolidation with one or more companies of other states, as provided in section thirty-three hundred and eighty, may issue bonds in excess of such capital stock, and at such rates of interest as may be agreed upon between the respective parties, not exceeding seven per cent. per annum, payable semi-annually or quarterly, as they may direct, and may execute and issue securities therefor, and to secure the payment thereof may pledge the entire property and net income of such company by mortgage or otherwise; and any railroad company formed by the consolidation of a railroad company or companies, created by or existing under the laws of this state and any other state or states, with a railroad company or companies of this state or any other state, may, from time to time, if authorized by the vote in person or proxy of holders of two-thirds ($\frac{2}{3}$) of the full paid-up stock of such consolidated railroad company present and voting at meetings of stockholders, called as aforesaid, issue its bonds, convertible or otherwise, into stock, bearing a rate of interest not exceeding six per centum per annum, for one or more of the following purposes: Paying, redeeming or funding debts or obligations assumed, incurred or created by it or either of its predecessors or constituent companies, compromising claims made against it or either of its predecessors or constituent companies, purchasing the whole or any part of any railroad held by it under lease to, or operating contract with it or either of its predecessors or constituent companies, acquiring the whole or any part of the stock or bonds of any railroad company owning a railroad held by such consolidated railroad company under lease or operating contract, acquiring the whole or any part of the bonds, notes or other obligations of any other railroad company of this or any other state, the whole or a majority of whose capital stock shall be held by such consolidated railroad company, completing, extending, improving, maintaining or operating its road, branches or lines, held under lease or contract, laying double or additional track, purchasing rolling stock, building depots, elevators or shops, and generally for any purpose needed in its business, and may, if the directors shall so determine, secure such issue or issues of bonds by

When bonds in excess of capital stock may be issued.

When and for what purposes bonds may be issued.

[House Bill No. 49.]

AN ACT

To amend section 1504 of the Revised Statutes of Ohio, as amended May 1, 1891 (88 O. L., p. 484).

Township clerk:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 1504 of the Revised Statutes of Ohio, as amended May 1, 1891, be amended to read as follows:

Detailed statement.

Sec. 1504. He shall, immediately after the township officers have made their annual settlement of accounts, make out and enter in the record in which the proceedings of the trustees are recorded, a detailed statement of all the receipts and the expenditures of the township for the preceding year, if any, and also the receipts and expenditures of the township board of education stating from what source the moneys were received, and to whom paid, and for what expended, and a detailed statement of all liabilities, if any, a copy of which statement he shall post up at least ten days before the first Monday of April, annually, with one notice of the township election and also a copy on the morning of the first Monday of April, annually, at each place of holding township elections in such township. Any township clerk refusing or neglecting to make out, enter and publish said detailed statement, shall be liable to a fine of not more than thirty dollars, nor less than twenty-five dollars, recoverable before any justice of the peace of the township, and to be paid into the school fund of the township.

Penalty.

Repeals.

SECTION 2. That said original section 1504, as amended May 1, 1891, be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 10, 1892.
73G

[Senate Bill No. 84.]

AN ACT

To amend section 3309*a* of the Revised Statutes, as amended April 11th, 1890.

Railroad companies:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 3309*a* of the Revised Statutes of Ohio, as amended April 11th, 1890, be so amended as to read as follows:

Securities for borrowed money in lieu

Sec. 3309*a*. Any railroad company now or hereafter organized under the laws of this state, and any such company

of preferred stock.

which now is or shall hereafter be consolidated with other companies, as provided in sections thirty-three hundred and seventy-nine, thirty-three hundred and eighty, thirty-three hundred and eighty-one and thirty-three hundred and eighty-two of the Revised Statutes, may, at a meeting of its stockholders, called as provided in section thirty-three hundred and eight, in lieu of issuing preferred stock as provided in section thirty-three hundred and nine, provide for borrowing money to locate, construct and equip its proposed line of railway, or for the purpose of leasing or purchasing and equipping branch or connecting roads constructed or in process of construction, not exceeding ten miles in length, or for redeeming or exchanging any part or all of its previously issued bonds, or for funding its floating debt, or for any or all of said purposes, in such an amount as it may deem necessary, not exceeding its authorized capital stock, but companies formed by consolidation with one or more companies of other states, as provided in section thirty-three hundred and eighty, may issue bonds in excess of such capital stock, and at such rates of interest as may be agreed upon between the respective parties, not exceeding seven per cent. per annum, payable semi-annually or quarterly, as they may direct, and may execute and issue securities therefor, and to secure the payment thereof may pledge the entire property and net income of such company by mortgage or otherwise; and any railroad company formed by the consolidation of a railroad company or companies, created by or existing under the laws of this state and any other state or states, with a railroad company or companies of this state or any other state, may, from time to time, if authorized by the vote in person or proxy of holders of two-thirds ($\frac{2}{3}$) of the full paid-up stock of such consolidated railroad company present and voting at meetings of stockholders, called as aforesaid, issue its bonds, convertible or otherwise, into stock, bearing a rate of interest not exceeding six per centum per annum, for one or more of the following purposes: Paying, redeeming or funding debts or obligations assumed, incurred or created by it or either of its predecessors or constituent companies, compromising claims made against it or either of its predecessors or constituent companies, purchasing the whole or any part of any railroad held by it under lease to, or operating contract with it or either of its predecessors or constituent companies, acquiring the whole or any part of the stock or bonds of any railroad company owning a railroad held by such consolidated railroad company under lease or operating contract, acquiring the whole or any part of the bonds, notes or other obligations of any other railroad company of this or any other state, the whole or a majority of whose capital stock shall be held by such consolidated railroad company, completing, extending, improving, maintaining or operating its road, branches or lines, held under lease or contract, laying double or additional track, purchasing rolling stock, building depots, elevators or shops, and generally for any purpose needed in its business, and may, if the directors shall so determine, secure such issue or issues of bonds by

When bonds in excess of capital stock may be issued.

When and for what purposes bonds may be issued.

Securities: how expressed; disposal of; application of proceeds.

mortgage or pledge of any or all of its real or personal estate or franchises or income. Said securities may be expressed in dollars or in the currency of the country where disposed of, and may be disposed of upon such terms and at such prices as may be agreed upon between the respective parties not inconsistent with the laws of this state. The proceeds of sale of such securities shall be applied only as now required by law; provided, that nothing in this section or in the sections of the Revised Statutes relating to railroad companies, prior to section thirty-four hundred and thirty-seven, other than in sections thirty-two hundred and eighty-seven, thirty-two hundred and eighty-eight, and thirty-two hundred and eighty-nine shall be construed as affecting street railroads.

Street railroads not affected.

SECTION 2. That said section 3309*a*, as amended April 11th, 1890, be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 10, 1892.
74G

[House Bill No. 100.]

AN ACT

To amend section 1 of an act entitled "An act to prevent any person from unlawfully using or wearing the badge of the grand army of the republic, union veterans' union, sons of veterans, union veterans' legion, women's relief corps, or any ladies' circle of the grand army of the republic or military order of the loyal legion of the state of Ohio," or other secret societies.

Frauds:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the above entitled act, passed February 22d, 1888, be so amended as to read as follows:

Penalty for unlawfully wearing badge or button of certain organizations.

Sec. 1. That any person who shall wilfully wear the badge or button of the grand army of the republic, union veterans' union, sons of veterans, union veterans' legion, or military order of the loyal legion, women's relief corps, any ladies' circle of the grand army of the republic, or any labor organization in the state of Ohio, or shall use or wear the same to obtain aid or assistance thereby within this state, unless he shall be entitled to use or wear the same under the rules and regulations of the grand army of the republic, union veterans' union, sons of veterans, union veterans' legion or military order of the loyal legion, women's relief corps, any ladies' circle of the grand army of the republic or any labor organization in the state of Ohio, shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined in

any sum not exceeding twenty dollars, or imprisoned for a term not exceeding thirty days, or both, at the discretion of the court. And this act shall be applicable to any known or organized secret society or order.

SECTION 2. Said original section 7088—1 is hereby repealed, and this act shall take effect and be in force from and after its passage. Repeals, etc.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 10, 1892.
75G

[House Bill No. 287.]

AN ACT

To amend section 2641 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2641 of the Revised Statutes be and said section hereby is amended so as to read as follows: Streets:

Sec. 2641. In any city of the second class, the council may, by ordinance, require the names of streets to be marked at the corners thereof, and numbers to be legibly placed on buildings by the owners of property abutting on any street, prescribing the style and manner of so marking the names of streets and placing the numbers on buildings and specifying the time within which the same shall be done, which shall not be less than thirty days after the taking effect of the ordinance, and notice of such requirement shall be published in one or more newspapers printed and of general circulation in the city for at least ten days; and in case the owner of any property within the limits specified in the ordinance and notice, fails so to mark the names of the streets or to place the number on any building according to the requirement, the city may have the work done and assess the cost thereof on the lots or lands on which the same are placed and collect the same in the same manner as other assessments; and any such city may provide, by ordinance, a fine and imprisonment or both, to be imposed on any person who wilfully obstructs or interferes with any person employed by the city to place such names or numbers as aforesaid or who tears down, removes or defaces the same. Marking names of streets and numbers of buildings in cities second class.

SECTION 2. That section 2641 of the Revised Statutes is hereby repealed. Repeals.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 10, 1892.
76G

[House Bill No. 546.]

AN ACT

To authorize the council of any incorporated village of the state of Ohio, which at the last federal census had, or which at any subsequent federal census may have, a population of not less than 830 nor more than 850, to issue bonds for street improvements and other purposes.

Bonds for street improvement and other purposes (Genoa).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of any incorporated village of the state of Ohio, which at the last federal census had, or which at any subsequent federal census may have, a population of not less than 830 nor more than 850, be and the same is hereby authorized to issue the bonds of said village in any sum not exceeding five thousand dollars ($5,000.00), bearing interest at a rate not exceeding six (6) per cent. per annum from date of issue, payable annually, for the purpose of street improvements, and such other purposes and improvements as the council of said village may by ordinance direct, including the funding of any certificates of indebtedness heretofore issued by said village.

Amount; interest.

Issue and sale.

SECTION 2. Said bonds shall be signed by the mayor of said village and countersigned by the clerk thereof. Said bonds shall be issued in such amounts respectively as will, in the judgment of the council of said village, best subserve the sale thereof, and at such times and in such amounts as may be deemed necessary for the purposes named; said bonds shall not be sold at less than par value, and the principal shall be payable at such times as the council of said village may determine by ordinance, within a period not exceeding ten years.

When payable.

Tax levy.

SECTION 3. The council of said village is hereby authorized to levy a sufficient tax to meet any indebtedness incurred by this act.

Regular or special election.

Notice.

Condition of issue.

Ballots.

SECTION 4. Before said bonds shall be issued, the question of issuing the same shall be submitted to the qualified voters of said village at a special or regular election, of which due notice shall have been given by posting at least three public notices five days before said election. If sixty per cent. of the votes cast on said proposition at said election are in favor of said issue of bonds, then it shall be lawful to make the same. The tickets for said election shall have written or

printed thereon, if the issuing of said bonds is favored, the words "For bonds—Yes;" if opposed, "For bonds—No."

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 10, 1892.
77G

[House Bill No. 558.]

AN ACT

To authorize the cities of the fourth grade, second class, having a population at the last federal census of not less than 5,200 nor more than 5,275, or which may have such population at any subsequent federal census, to issue and sell bonds not exceeding twenty thousand dollars in amount, for the purpose of erecting buildings for municipal purposes.

Bonds for municipal building (Wellsville).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That whenever it is desired by the voters of any city of the fourth grade, second class, having a population at the last federal census of not less than 5,200 nor more than 5,275, or which may have such population at any subsequent federal census, to erect a building for municipal purposes, the council of said city may issue and sell their bonds in amount and denominations such as they may deem necessary for the special purpose in view, but not to exceed an amount of twenty thousand dollars, and no such bonds shall bear more than six per cent. interest or be sold for less than their par value.

Amount; interest; sale.

Additional tax levy.

SECTION 2. For the payment of bonds issued under the preceding section, the council of such city shall levy a tax in addition to the amount otherwise authorized every year during the period the bonds have to run, sufficient in amount each year to pay the bonds falling due within that year and the accruing interest.

General or special election.

Notice.

SECTION 3. Before any bonds are issued or tax levied as provided in the next two preceding sections, the question of issuing the bonds shall be submitted to the voters of such city at a general election or a special election called for the purpose of voting on such question, and two weeks' notice of the submissions shall be given in one or more newspapers printed therein once a week, stating the amount of bonds to be issued, the purpose for which they are to be issued, and the time and place of holding the election, and if two-thirds of those voting at such election upon the question of issuing the bonds, vote in favor thereof, then and not otherwise the bonds shall be issued, and the tax levied. Those who vote in favor of the

Condition of issue.

Ballots.

proposition shall have written or printed on their ballots, "For the issue of bonds—Yes;" and those who vote against the same shall have written or printed on their ballots the words, "For the issue of bonds—No."

Contract for building.

SECTION 4. If, at such election, two-thirds of those voting upon the question of issuing said bonds, vote in favor thereof, then may said council proceed to contract for the erection of such building, before said bonds are issued and sold, and the provisions of section 2702 of the Revised Statutes of Ohio, requiring the money to be in the treasury before the contract is let, shall not apply to such contract.

Proceeds of bonds.

SECTION 5. When said bonds are issued and sold, the proceeds of the same shall be placed in the city treasury for the purpose for which the said bonds were issued and sold, and shall be used for no other purpose.

How bonds to be executed and sold.

SECTION 6. Said bonds shall be executed and sold in the manner provided by the statutes of the state of Ohio for issuing and selling other public improvement bonds, and they shall specify the object for which they are issued and sold, and the act of the general assembly of the state of Ohio under which they were authorized.

SECTION 7. This act shall take effect and be in force from and after its passage and legal publication.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed March 11, 1892.
78G

[House Bill No. 190.]

AN ACT

To amend and supplement section 3388 of the Revised Statutes, as amended April 4, 1890.

Railroad companies

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 3388 of the Revised Statutes of Ohio, as amended April 4, 1890, be and is hereby amended and supplemented as follows:

Stockholder refusing to consolidate shall be paid highest market value for stock, etc.

Arbitration of value of stock.

Sec. 3388. A stockholder who refuses to convert his stock into the stock of the consolidated company, shall be paid the highest market value of such stock at any time within two years next preceding the time of the making of such agreement for consolidation by the directors, if, previous to such consolidation, he so require; and if a stockholder so refusing to consolidate, and the board of directors of the company desiring to consolidate, can not agree as to the value of such stock, the parties may submit the question to

arbitration, which arbitration shall be conducted in accordance with the law regulating arbitrations, so far as the same may be applicable, by three disinterested persons, to be appointed upon the motion of either of the parties by the judge of the probate court of the county in which the person owning the stock resides, or, in case he is a non-resident of any county through or into which the road passes, then in the county in which the principal office of the company is kept. If the person so refusing to convert his stock refuses to submit the question to arbitration, the probate judge, upon the application of either of the companies desiring to consolidate, shall appoint the arbitrators, who shall proceed to ascertain the value of the stock, the same as if the question had been submitted by the consent of both parties; and if the party owning the stock refuses to receive the amount awarded in any case, the company may deposit the same with the probate court of the county in which the arbitration is held, which deposit shall authorize the parties to proceed to consolidate without further payment to such stockholder. Provided, however, if the agreement of consolidation provide that the preferred stock of the consolidated companies, or either of them, shall become and be the preferred stock of the consolidated company upon the same terms and conditions as those upon which it was issued, then this section shall not apply thereto.

Proceedings when stockholder refuses to arbitrate.

Deposit of award.

Preferred stock.

Sec. 3388*a*. In all cases of consolidation provided for in section 3380 of the Revised Statutes, the provisions of the section hereby supplemented shall apply only to stockholders of companies created and organized under the laws of this state, and not to stockholders of any corporation organized or existing under the laws of any other state or states, it being the intention that the rights of stockholders of such companies shall be determined by the law of such other state or states.

Application of preceding section in consolidation of domestic with foreign corporation.

SECTION 2. That this act shall not affect the rights of stockholders in companies which have heretofore commenced proceedings for consolidation; that said section 3388, as amended April 4, 1890, is hereby repealed; and this act shall take effect and be in force from and after its passage.

Proceedings heretofore commenced; repeals, etc.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.

ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed March 15, 1892.
79G

[House Bill No. 31.]

AN ACT

To amend section 2500*a* of the Revised Statutes, as passed April 5, 1889.

Railways in corporate limits:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2500*a* of the Revised Statutes, as passed April 5, 1889, be and the same is hereby amended so as to read as follows:

Additional powers of certain municipalities (Cincinnati and Columbus):

Sec. 2500*a*. In addition to the powers specifically granted in said section 2500, and in sections 2492 to 2499 inclusive, and in section 1692, and the acts amendatory of and supplementary thereto, of the Revised Statutes of Ohio, cities of the first grade of the first and second classes shall have the following general powers, and the board of legislation or council may provide, by ordinance, for the exercise and enforcement of the same:

Obstruction, use or occupancy of streets or highways by railroad companies.

To provide against and prevent the obstruction, use or occupancy of any street or other public highway, with any locomotive, car, cars or train, by any railroad company, companies, superintendent, agent or other employe thereof, either directly or indirectly, permitting or suffering such locomotive, car, cars or train to remain upon or across such street or other public highway, or any part thereof, or by coupling, switching or shifting of locomotives, cars or trains, or the making up of trains upon or across such street or other public highway, or any part thereof, or by the moving or stopping of trains upon or across the same, for a period longer than two minutes at one time; to prevent such obstruction, use or occupancy of any such street or other public highway by any railroad company, companies, superintendent, agent or other employe thereof, either directly or indirectly, for a period of ten minutes after the same has been once so obstructed, used or occupied for said period of two minutes, so as to give and guarantee to the public the exclusive use of such street or other public highway for ten minutes thereafter;

Bars or gates and watchmen at crossings.

to require any railroad company or companies so using such street or other public highway, for said period of two minutes, to provide and maintain suitable bars or gates and watchmen at such street or other crossing, to secure and warn the public against the dangers attending such use.

Penalties.

It is further provided, that the board of legislation or council of such cities, to carry into force and effect the provisions of any ordinance or ordinances under this section, shall have power to prescribe penalties for any violation thereof, by fine not to exceed fifty dollars for each offense, or by imprisonment not to exceed thirty days, or both fine and imprisonment for each and every repeated violation thereof after the first offense.

Arrival and departure of regular trains.

It is provided further, that nothing herein shall be so construed as to affect or interfere with the arrival and departure of regular railroad trains moving on and across such street or public highway, without stopping, at a rate of speed not exceeding six miles per hour.

Repeals.

SECTION 2. That section 2500*a* of the Revised Statutes, as passed April 5, 1889, be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 15, 1892.
80G

[House Bill No. 45]

AN ACT

To amend sections 2304 and 2329 of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 2304 and 2329 of the Revised Statutes be amended so as to read as follows:

Assessments.

Sec. 2304. When it is deemed necessary by a city or village to make a public improvement, the council shall declare by resolution the necessity of such improvement, and shall give twenty days' written notice of its passage to the owners of the property abutting upon the improvement, or to the persons in whose names it may be assessed for taxation upon the tax duplicate, who may be residents of the county, which notice shall be served by a person designated by the council upon such persons in the manner provided by law for the service of summons in a civil action, and publish the resolution not less than two nor more than four consecutive weeks in some newspaper published and of general circulation in the corporation; provided, that in case of sewers, the twenty days' written notice to the owners of abutting property, or to the persons in whose names the abutting property is assessed, shall not be required; and, provided, that when there is no newspaper published in such city or village, written notices shall be posted in twelve public places in the city or village; and all plans and profiles relating to the improvement shall be recorded and kept on file in the office of the city civil engineer or clerk, and open to the inspection of all parties interested; and council may appoint a person to serve the notice provided for by this section, who shall make a return of the time and manner of such service, and verify the same by affidavit, which shall be filed with the clerk of the corporation, and the same, or a certified copy thereof, shall be prima facie evidence of the service of the notice as therein stated; provided, that in cities of the first grade of the first class, the power to serve and publish such notice shall be vested in the board of city commissioners or their successors in office provided for in the second chapter of this division.

Resolution declaring necessity of improvement.

Notice to owners of abutting property.

Publication of resolution.

Sewers.

Written notices.

Plans and profiles.

Service, return and filing of notice; value as evidence.

Cincinnati.

Sec. 2329. When the council, board of improvements or board of public works, as the case may be, declares, by resolution that certain specified sidewalks shall be constructed or repaired, the mayor or board of public works, where

Notice to owners of abutting property to construct or repair sidewalks.

there is such a board, upon being advised thereof, shall cause a written notice of the passage of such resolution to be served as provided in section 2304 upon the owner or the agent of the owner of each parcel of land abutting on such sidewalk who may be a resident of the city or village, in the manner provided by law for the service of summons in a civil action, and shall return a copy of such notice with the time and manner of service indorsed thereon and signed by the officer serving the same, to the clerk of the corporation who shall file and preserve the same in his office; and for the purpose of such service, if the owner is not a resident of the city or village, any person charged with the collection of rents, or the payment of the taxes of such property, or having general control thereof in any way, shall be regarded as the agent of the owner; and such return shall have the like force and effect as the sheriff's return on a summons in a civil action; provided, that when it shall come to the knowledge of the city commissioner or such other officer as the council may by resolution designate, that any dangerous defect exists in any sidewalk, the total cost of repairing which to be charged to any one parcel of land shall not exceed five dollars, it shall be sufficient for, and the duty of such officer to forthwith, in like manner and with like effect, serve and return a notice to the owner of such land, or his agent, stating that if such repair be not made within three days by such owner, the same will be made at his expense, at a reasonable cost to be stated in the notice, and that if said cost be not paid to the clerk of the corporation within fifteen days after such repair is made, the same will be charged against said land as taxes. And if such repair be not made within such three days, such designated officer shall forthwith repair the same and report the fact to the clerk, who shall thereafter certify the sum named in the notice, if not paid within such fifteen days, to the county auditor for taxation. But such sum shall be in each case a reasonable charge for the material furnished and the work performed. And if it appear in the return in any case that such owner is a non-resident or that neither any such owner nor agent nor their residence could be found, then notice may be given by publication of a copy of the resolution in some newspaper of general circulation in the corporation.

Return and filing of copy of notice.

Service upon agent of owner.

Force and effect of return.

Notice to repair certain dangerous defects in sidewalks.

Making of such repairs at owner's expense.

Notice to non-residents and persons not found.

Repeals.

SECTION 2. That said sections 2304 and 2329 of the Revised Statutes be and the same are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.

ANDREW L. HARRIS,
President of the Senate.

Passed March 15, 1892.

81G

[House Bill No 188.]

AN ACT

To provide for the more efficient organization of the common schools in township districts.

Township and special districts:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 3915, 3916, 3917, 3920, 3922, 3927 (am. April 8, 1891), 3929, 3941*a*, 3961, 3978, 3981 (am. Feb. 26, 1891), 3987, 3989, 4014, 4017 (am. April 28, 1890), 4018 (am. March 6, 1890), 4019, 4032 and 4034 of the Revised Statutes of Ohio be amended so as to read as follows:

Township board of education.

Sec. 3915. The board of education of each township district divided into subdistricts shall consist of the township clerk, and one director elected for a term of three years from each subdistrict. The clerk of the township shall be ex-officio the clerk of the board, but shall have no vote except in cases of a tie.

Clerk.

Directors; first election.

Sec. 3916. There shall be elected by ballot on the second Monday of April, 1893, in each subdistrict, by the qualified electors thereof, one competent person, having the qualifications of an elector therein, to be styled director. Those elected shall be divided upon the third Monday of April thereafter by lot, into three classes as nearly equal as possible; the directors of the first class shall serve for the term of one year, the directors of the second class for two years, and the directors of the third class for three years. All elections of directors thereafter shall be held on the second Monday of April, and all directors shall serve until their successors are elected and qualified. The office of local director in each subdistrict shall terminate after the first election and qualification of directors under this act.

Classes.

Terms.

Subsequent elections.

Local director.

Notice of election.

Sec. 3917. The director of each subdistrict, where an election may occur, shall post written or printed notices in three or more conspicuous places in his subdistrict, at least six days prior to the day of election, designating the day and hour of opening, and the hour of closing the election; the election shall be held at the usual place of holding school meetings in the subdistrict; the meeting shall be organized by appointing a chairman and a secretary, who shall act as judges of the election under oath or affirmation, which oath or affirmation may be administered by the director of the subdistrict, or any other person competent to administer such an oath or affirmation, and the secretary shall keep a poll-book and tally-sheet, which shall be signed by the judges, and delivered within five days to the clerk of the township. [77 v. 63.]

Where held.

Judges; oath.

Poll-book and tally-sheet.

Regular sessions of board.

Sec. 3920. The board of education shall hold regular sessions on the third Monday of April, June, August, October, December and February, at the usual places of holding township elections, or at such place in the immediate vicinity thereof as may be convenient, for the transaction of business,

Special meetings.

and may adjourn from time to time, or hold special meetings at any other time or place within the township, as it deems desirable, for the transaction of business; which special meeting may be called by the township clerk, by the president of the board, or by two or more members of the board, but each member of the board must be duly notified thereof personally, or by written notice left at his residence or usual place of business. [70 v. 195, § 31; 86 v. 346.]

Election in new subdistrict.

Notices.

How conducted; term of director.

Directors of subdistricts consolidated.

Sec. 3922. When the board consolidates two or more subdistricts into a new subdistrict, or establishes a new subdistrict in any other way, it shall call a special meeting of the qualified electors resident in the new subdistrict, for the purpose of electing one director for the same; at least five days before the time fixed for the meeting the board shall post, in three of the most public places in the new subdistrict, written or printed notices, stating time, place, and object of holding the meeting; the election shall be conducted as provided in this chapter, and a director shall be elected to serve the term, which will render the classes of directors most equal, from the annual meeting on the third Monday of April next preceding the organization of the new subdistrict; and the terms of office of the directors of subdistricts so consolidated shall expire at the time such new subdistrict is created. [75 v. 120, § 32.]

Election when special district abandoned.

Property in custody of clerk.

Notice to county auditor.

Property in custody of treasurer.

Unfinished business.

Debts.

Special tax.

Sec. 3927. When a special district is abandoned there shall be an election of a director as provided in this chapter and for the term directed in section 3922. The clerk of the special or village district board shall deliver to the clerk of the township board all the books and papers of the special district in his custody, and notify the county auditor, in writing, of the abandonment of the organization of the district; the treasurer of the special or village district board shall deliver to the treasurer of the township board all the books, papers and money of the special or village district in his possession; the township board shall complete all unfinished business pertaining to the special or village district; any debt contracted by the special or village district board, shall be paid out of the money transferred to the treasurer of the township board, as herein provided, and out of the money arising from the taxes levied by the special or village district board; and if such funds are insufficient therefor, the remainder shall be paid by a special tax upon the property of the subdistrict so created.

Control of school in joint subdistrict.

Support of same.

Sec. 3929. The school in a joint subdistrict shall be under the control of the board of education in the township in which the school-house is situate, of which board the director of the joint subdistrict shall be a member; but such school shall be supported from the school funds of the townships having territory in the joint subdistrict, in proportion to the enumeration of youth, as provided in sections thirty-nine hundred and sixty-one and thirty-nine hundred and sixty-two.

Estimate for site and school-house.

Sec. 3941*a*. When in a joint subdistrict established by proceedings in the probate court, a site has been designated for a school-house, the board of education of the township in

which such site is designated shall make the necessary estimate to purchase such school-house site, and erect and furnish a suitable school-house thereon; and said board shall report such estimate and levy to the county auditor; said levy shall be made and the money collected in like manner as the funds are levied and collected for other joint subdistricts.

Report to county auditor; making of levy and collection of money.

Sec. 3961. For a joint subdistrict the estimate required by section thirty-nine hundred and fifty-eight shall be made by the board of education having control of the school thereof, and apportioned to the several townships having territory therein in proportion to the enumeration of youth in the territory belonging to each; the board shall certify such estimate, so apportioned, to the county auditor, who shall add the portion for each township to the estimate for a contingent fund certified to him by its board of education, and place it on the tax list therewith for collection as part of the township estimate; when the county auditor apportions the school funds he shall transfer to the township having control of the school, from the other townships, the amounts so assessed and collected, and certify to the clerk and treasurer of each township the amount due the board in control of said school, including state tax, interest on the common school fund, contingent fund, and money received from other sources, which amount shall be paid to the treasurer of the board having control of the school; and such board shall cause to be kept such accounts as will show the funds received from each township, and the disposition thereof, and transmit to the other board or boards interested, at the end of the school year, a statement of such receipts and expenditures. [75 v. 84, § 35.]

Estimate for contingent fund for joint subdistrict.

Apportionment.

Certificate to county auditor and entry upon tax duplicate.

Transfer of funds.

Certificate to township clerks and treasurers.

Custodian of funds.

Accounts and yearly statements.

Sec. 3978. In all cases of tie votes at an election for members of a board of education, the judges of election shall decide the election by lot; and in other cases of failure to elect members of the board, or in case of a refusal to serve, the board shall appoint. [70 v. 195, § 43.]

Tie vote for members of board.

Failure to elect or refusal to serve.

Sec. 3981. Vacancies in any board of education, arising from death, non-residence, resignation, expulsion for gross neglect of duty, failure of a person elected or appointed to qualify within ten days after the annual organization or after his appointment, or from other cause, which occur more than fifteen days before the next annual election, the board shall fill within ten days from the occurrence of the vacancy, until the next annual election, when a successor shall be elected to fill the unexpired term; provided such vacancy in township board may be filled at the next regular meeting as prescribed in section 3920.

Vacancies in board.

How filled.

Vacancy in township board.

Sec. 3987. The board of education of any district is empowered to build, enlarge, repair and furnish the necessary school-houses, purchase or lease sites therefor, or rights of way thereto, or rent suitable school-rooms, provide all the necessary apparatus and make all other necessary provisions for the schools under its control; also, the board shall provide fuel for schools, build and keep in good repair all fences inclosing such school-houses, plant when deemed desirable shade and ornamental trees on the school-grounds, and make

School-houses; sites; rights of way; renting of school-rooms; apparatus, etc.

Fuel; fences shade and ornamental trees, etc.

all other provisions necessary for the convenience and prosperity of the schools within the subdistricts.

Erection of school-houses in joint subdistrict.

Sec. 3989. When it becomes [necessary] to rebuild the school-house of a joint subdistrict, or for the better accommodation of scholars, to change the school-house site and erect a new building thereon, the question of such rebuilding, or of such change of site and erection of a new building, shall be determined by a majority vote of the township board of education in which the school-house is situate, and in such manner as to secure the better accommodation of a majority of scholars in the same; any funds which may be or have been assessed and collected for the building of such school-house shall be transferred to the custody of the board of education of the township in which the new building is to be erected, which board shall proceed in all matters connected with the erection of the building in accordance with the provisions of this chapter; and if the location is changed to another township, the personal property belonging to such subdistrict shall be transferred to the board of education of such township; and any real property belonging thereto, and situated in the township from which the location is changed, shall be sold by the board of education of such township, and the proceeds of the sale transferred to the board of education of the township to which the location is changed. [72 v. 63, § 36.]

Transfer of funds.

Proceedings.

Transfer of personal property.

Sale of real property and transfer of proceeds.

Suspension and expulsion of pupils.

Sec. 4014. No pupil shall be suspended from school by a superintendent or teacher except for such time as may be necessary to convene the board of education, and no pupil shall be expelled except by a vote of two-thirds of such board, and not until the parent or guardian of the offending pupil has been notified of the proposed expulsion, and permitted to be heard against the same; and no pupil shall be suspended or expelled from any school beyond the current term thereof. [70 v. 195, § 71.]

Control of schools vested in board; appointees.

Salaries.

Terms.

Dismissals.

Sec. 4017. Each board of education shall have the management and control of the public schools of the district with full power to appoint a superintendent and assistant superintendents of the schools, a superintendent of buildings, and teachers, janitors and other employes, and fix their salaries or pay, which salaries or pay may be increased but shall not be diminished during the term for which the appointment is made; but no person shall be appointed for a longer time than that for which a member of the board is elected; and such board may dismiss any appointee for inefficiency, neglect of duty, immorality, or improper conduct.

Unlawful employment of teachers by township board.

Certificates of employment and services.

Orders for pay.

Sec. 4018. It shall be unlawful for the township board of education prior to the annual election on the second Monday of April, and the qualification of the director or directors elected thereat, to employ or contract to employ any teacher for a term to commence after the expiration of the current school year; and said board at the end of any month, or at the end of the term, shall give to the teachers employed by them certificates of such employment, and of services rendered, addressed to the township clerk, who, upon presentation thereof, and compliance by such teachers with the pro-

visions of section forty hundred and fifty-one, shall draw orders on the township treasurer for the amounts certified to be due, in favor of the parties entitled thereto, and the treasurer shall pay the same. Payment.

Sec. 4019. If the board of education of any district dismiss any teacher for any frivolous or insufficient reason, such teacher may bring suit against such district, and if, on the trial of the cause, a judgment be obtained against the district, the board thereof shall direct the clerk to issue an order upon the township treasurer for the sum so found due to the person entitled thereto, to pay the same out of any money in his hands belonging to such district, and applicable to the payment of teachers; and in such suits process may be served on the clerk of the district, and service upon him shall be sufficient. [76 v. 58, § 1.] Suit by teachers dismissed for insufficient cause. Order when judgment obtained. Service of process.

Sec. 4032. The director of each subdistrict shall take the enumeration of his subdistrict and return the same to the clerk of the board of education in the manner prescribed in this chapter. Enumeration in subdistricts; return to clerk.

Sec. 4034. The enumeration of a joint subdistrict shall be taken by the director of the joint subdistrict in which the school-house of the subdistrict is situate. He shall designate in his report to the clerk the number of youth residing in the respective fractions of townships of which the subdistrict is composed; and the clerk, if such subdistrict is composed of parts of two or more counties, shall transmit a certified copy thereof to the auditor of each county having territory within the subdistrict. [70 v. 195, § 34; 71 v. 15, § 77; 72 v. 63, § 36.] Enumeration in joint subdistricts. Report to clerk. When composed of parts of two or more counties.

SECTION 2. All of said original sections of the Revised Statutes, together with the amendments heretofore made thereto and amended by this act, are hereby repealed; also sections 3918, 3919, 3949, 4033, and all acts or parts of acts, and all sections or parts of sections in conflict with the provisions of this act, are, to the extent of such conflict, hereby repealed; provided, that township districts organized as village districts, or that may hereafter organize as such, remain, and the boards thereof retain the powers and duties as now conferred by the Revised Statutes of the state. Repeals. Conflicting laws. Township districts organized as village districts.

SECTION 3. This act shall take effect and be in force from and after April 1st, 1893.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 15, 1892.
82G

[House Bill No. 270.]

AN ACT

Providing for the creation of library boards for certain cities and villages, and prescribing the duties of such boards.

Public libraries and reading rooms.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the common council of every city not exceeding in population thirty thousand inhabitants, and of every incorporated village shall have power to establish and maintain a public library and reading room, and for such purpose may annually levy and cause to be collected, as other general taxes are, a tax not exceeding one mill on each dollar of the taxable property of such city or village, to constitute the library fund, which shall be kept by the treasurer separate and apart from other money of the city or village, and be used exclusively for the purchase of books, periodicals, necessary furniture and fixtures and whatever is required for the proper maintenance of such library and reading room.

Library fund.

How expended.

Directors: appointment.

SECTION 2. For the government of such library and reading room there shall be a board of six directors, appointed by the council of such city or village from among the citizens thereof at large, and not more than one member of the council of such city or village shall at any one time be a member of said board. Such directors shall hold their office for three years from the date of appointment, and until their successors are appointed, but upon their first appointment they shall divide themselves at their first meeting by lot into three classes, one-third for one year, one-third for two years, and one-third for three years, and their terms shall expire accordingly. All vacancies shall be immediately reported by the directors to the proper council, and be filled by appointment in like manner; and if an unexpired term, for the residue of the term only. No compensation whatever shall be paid or allowed to any director.

Term.

Classes.

Vacancies.

Compensation.

Organization of directors.

SECTION 3. Said directors shall, immediately after their appointment, meet and organize by the election of one of their number president, and by the election of such other officers as they may deem necessary. They shall make and adopt such by-laws, rules and regulations for their own guidance, and for the government of the library and reading room, as may be expedient. They shall have the exclusive control of the expenditures of all moneys collected for the library fund, and the supervision, care and custody of the rooms or buildings constructed, leased or set apart for that purpose, and such money shall be drawn from the treasury by the proper officers, upon the properly authenticated voucher of the board of directors, without otherwise being audited. They may, with the approval of the common council, lease and occupy, or purchase, or erect on purchased ground, an appropriate building, provided that no more than half the income in any one year can be set apart in said year for such purchase or building. They may appoint a librarian and assistants, and prescribe rules for their conduct.

By-laws, rules and regulations.

Control of expenditures.

Custody of building; how money drawn from treasury.

Library building.

Librarian and assistants; rules.

SECTION 4. Every library and reading room established under this chapter shall be forever free for the use of the inhabitants of the city or village where located, always subject to such reasonable rules and regulations as the library board may find necessary to adopt and publish in order to render the use of said library and reading room of the greatest benefit to the greatest number; and they may exclude and cut off from the use of said library and reading room any and all persons who shall wilfully violate such rules.

To whom libraries and reading rooms free; rules and regulations.

Violation of rules.

SECTION 5. The said board of directors shall make an annual report to such council, stating the condition of their trust—the various sums of money received from the library fund, and from all other sources, and how much has been expended; the number of books and periodicals on hand; the number added by purchase, gift or otherwise during the year; the number lost or missing, the number of books loaned out, and the general character and kind of such books, with such other statistics, information and suggestions as they may deem of general interest.

Annual report of directors.

SECTION 6. All persons desirous of making donations of money, personal property or real estate, for the benefit of such library, shall have the right to vest the title of the same in the board of directors created under this law, to be held and controlled by said board, when accepted according to the terms of the deed of gift, devise or bequest of such property, and as to such property the said board shall be held and considered to be special trustees.

Donations for benefit of library.

SECTION 7. In case a free public library has already been established in any city or incorporated village, and duly incorporated and organized, the council may levy a tax for its support as provided in this act, without change in the organization of such library association, and the sum so raised shall be paid to the officer or officers duly authorized to receive the same, and shall be under the control of the said library association; provided, that if at any time such library association ceases to exist or from any reason fails to provide a free circulating library as required by the provisions of this act, the books and other property accumulated from the proceeds of the levy herein authorized shall become the property of the city or village and be subject to the control of the council as herein provided.

Levy for support of free public libraries established by associations.

Control of proceeds.

When property subject to control of council.

SECTION 8. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.

ANDREW L. HARRIS,
President of the Senate.

Passed March 15, 1892.
83G

[House Bill No. 491.]

AN ACT

To amend supplementary section 3467*a* of the Revised Statutes, passed March 2, 1892.

Magnetic telegraph companies:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That supplementary section 3467*a* of the Revised Statutes be amended so as to read as follows:

Unlawfully obtaining, using, intercepting or delaying message.

Sec. 3467*a*. Whoever shall wilfully and maliciously cut, break, tap or make any connection with, or read or copy by the use of telegraph or telephone instruments, or otherwise, in any unauthorized manner, any telegraphic message or communication from any telegraph or telephone line, wire or cable, so unlawfully cut or tapped in this state; or make unauthorized use of the same, or who shall wilfully and maliciously prevent, obstruct or delay, by any means or contrivance whatsoever, the sending, conveyance or delivery in this state of any authorized telegraphic message or communication by or through any telegraph or telephone line, cable or wire under the control of any telegraph or telephone company doing business in this state; or who shall wilfully or maliciously aid, agree with, employ, or conspire with any other person or persons to do any of the aforementioned unlawful acts, shall be deemed guilty of felony, and shall be punished by a fine of not more than one thousand dollars nor less than two hundred dollars, or by imprisonment in the penitentiary for a period of not less than one nor more than three years; or by both fine and imprisonment within the limits hereinbefore specified, at the discretion of the court. Prosecutions under this act shall be by indictment in any court having criminal jurisdiction.

Penalty.

Prosecutions.

Repeals.

SECTION 2. Supplementary section 3467*a*, pa sed March 2, 1892, is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 15, 1892.
84G

[House Bill No. 494.]

AN ACT

To amend sections 657 and 658 of the Revised Statutes of Ohio.

Board of state charities:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 657 and 658 of the Revised Statutes be so amended as to read as follows:

Clerk: appointment; salary and expenses.

Sec. 657. That the said board may appoint a clerk, who shall be paid for his services, in addition to his traveling expenses, an annual salary of not to exceed twelve hundred

dollars, as may be agreed upon by the board. All accounts and expenditures shall be certified as may be provided by the board, and shall be paid by the treasurer upon an order from the auditor of state.

Annual report of the board.

Sec. 658. That the board of state charities shall annually prepare and print, for the use of the legislature, a full and complete report of all its doings during the year preceding, stating fully and in detail all expenses incurred, all officers and agents employed, with a report of the clerk, embracing all the respective proceedings and expenses during the year, and showing the actual condition of all the state institutions coming under its examinations, with such suggestions as it may deem necessary and pertinent.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 16, 1892.
85G

[House Bill No. 25.]

AN ACT

To provide for the more efficient government of cities of the second grade of the second class and to amend supplemental sections 1707*d*, 1707*d*—1, 1707*d*—2, 1707*d*—3, 1707*d*—4, 1707*d*—5, 1707*d*—6, 1707*d*—7, 1707*d*—8, 1707*d*—9, 1707*d*—10, 1707*d*—11, 1707*d*—12, 1707*d*—15, 1707*d*—16, 1707*d*—17, 1707*d*—18, 1707*d*—19, 1707*d*—20, 1707*d*—21, 1707*d*—22, 1707*d*—23, 1707*d*—24, 1707*d*—25, 1707*d*—26, 1707*d*—27, 1707*d*—28, 1707*d*—29, 1707*d*—30, 1707*d*—31, 1707*d*—32, 1707*d*—33, 1707*d*—34, and to further supplement section 1707 as amended and supplemented March 18, 1890, and to amend section 1 of an act entitled "An act to establish an efficient and non-partisan police in cities of the second grade of the second class," passed March 8, 1887; and to further supplement section 2690 and to amend section 2097 of the Revised Statutes.

Officers of cities, etc.:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 1707*d*, 1707*d*—1, 1707*d*—2, 1707*d*—3, 1707*d*—4, 1707*d*—5, 1707*d*—6, 1707*d*—7, 1707*d*—8, 1707*d*—9, 1707*d*—10, 1707*d*—11, 1707*d*—12, 1707*d*—15, 1707*d*—16, 1707*d*—17, 1707*d*—18, 1707*d*—19, 1707*d*—20, 1707*d*—21, 1707*d*—22, 1707*d*—23, 1707*d*—24, 1707*d*—25, 1707*d*—26, 1707*d*—27, 1707*d*—28, 1707*d*—29, 1707*d*—30, 1707*d*—31, 1707*d*—32, 1707*d*—33, 1707*d*—34 of the Revised Statutes be and they are hereby so amended as to read as follows:

Officers of city of Dayton.

Sec. 1707*d*. The officers of a city of the second grade of the second class shall consist of a mayor, a treasurer, except as provided in section 1708, both of which officers shall be chosen by its electors, and a clerk who shall be chosen by the council; four members of the board of city affairs, who shall be appointed as hereinafter provided; a city solicitor, a

city comptroller, a city civil engineer, a superintendent of markets and a sealer of weights and measures, which officers shall be appointed by the board of city affairs.

Board of city affairs: appointment; term; how constituted; vacancies.

Sec. 1707*d*—1. The board of city affairs in cities of the second grade of the second class shall, in the first instance, be appointed by the board of tax commissioners of such city, one member for one year, one member for two years, one member for three years and one member for four years, from the date of such appointments respectively, and no more than two members of such board of city affairs shall at any time be members of the same political party, and within thirty days before the expiration of the term of office of any member of such board, the mayor of such city shall appoint his successor, with the approval of the council of such city, who shall serve for a term of four years, and in case of a vacancy occurring in such board from any cause, the mayor in like manner shall appoint a member to fill such vacancy for the unexpired term.

Bond and oath of members.

Sec. 1707*d*—2. Each member of such board of city affairs shall give bond, with at least four sureties, who shall be residents and freeholders of such city, to the satisfaction of the mayor, in the sum of twenty thousand dollars, conditioned for the faithful performance of his duties, and shall take and subscribe an oath of office which shall be indorsed on his bond, to support the constitution of the United States and of the state of Ohio, and in all his official actions and judgments to aim only to secure and maintain an honest and efficient administration of public affairs.

Time to be devoted to duties; salary; office.

Sec. 1707*d*—3. The members of the board of city affairs shall devote their entire time and attention to the duties of the office, and shall each receive a salary of three thousand dollars per annum, payable in monthly installments, and no expenses or other compensation shall be allowed; and the board of city affairs may occupy such portion of the city building of any such city as they may deem necessary for their use.

Exclusive powers and duties.

Sec. 1707*d*—4. The board of city affairs of a city of the second grade of the second class is hereby authorized and shall have the exclusive care, management and control of all the property of such city of every kind and description, and shall have exclusive power to improve, construct, keep in order, and repair, clean and light streets, lanes, alleys, avenues, sidewalks, gutters, parks, public grounds and buildings, wharves, landing-places, bridges, market-houses and market-places and spaces, within the corporation and under the control of such city, levees, sewers, drains, culverts, streams and watercourses, and to provide for the removal of ashes and garbage. Such board of city affairs shall be the successor of the board of city commissioners in any such city and is hereby invested with all the powers and authority heretofore conferred on such board or [of] city commis-ioners.

Employes; compensation; removals.

Sec. 1707*d*—5 The board of city affairs may employ such superintendents, engineers, clerks, laborers and other

persons as it may deem proper for the execution of its duties and powers, and fix their salaries and compensation; and any such person may be removed by the board at any time.

Regular meetings; quorum; ayes any nays; when resolution valid.

Sec. 1707*d*—6. Said board shall hold not less than four regular meetings each week, and three members shall constitute a quorum for the transaction of business; the ayes and nays shall be called and entered on the journal upon the passage of every resolution or order of any kind; and no resolution or order shall be valid unless three votes are recorded in its favor.

Record of proceedings; value of copy as evidence.

Sec. 1707*d*—7. Said board shall keep a complete record of all its proceedings, and a copy from its record, certified by the comptroller, shall be competent evidence in all courts.

President and clerk.

Sec. 1707*d*—8. The member of such board having the shortest term to serve shall be the president thereof, and the city comptroller shall serve as clerk of said board as a part of his duty.

Manner of making contracts.

Sec. 1707*d*—9. When the board deems it advisable to make a contract for the execution of any work or the purchase of material for the matters under its charge, they shall cause to be made a careful estimate of the cost of such work or material, and when such estimate exceeds the sum of five hundred dollars the board shall proceed as follows:

Bids: advertisement for.

1st. It shall advertise for bids for the period of two weeks, or if the estimated cost exceeds five thousand dollars, four weeks, in two newspapers of opposite politics, published in the corporation, and in one newspaper published in the German language, if there be such paper printed and of general circulation in such corporation.

Filing.

2d. The bids shall be filed with the city comptroller sealed up, at twelve o'clock at noon, on the last day as stated in the advertisement.

Opening, reading, filing and reporting.

3d. The bids shall be opened at twelve o'clock at noon, on the last day for filing the same, by the city comptroller, a member of the board of city affairs and the city civil engineer, or any two of them, and publicly read by the officer opening the same, and filed in the office of the city comptroller, and shall be by the city comptroller reported at the next regular meeting of the board thereafter.

Contents; security to accompany.

4th. Each bid shall contain the full name of every person interested in the same, and shall be accompanied by a sufficient guaranty of some disinterested person that if the bid is accepted a contract will be entered into and the performance thereof properly secured.

Separate estimates for labor and materials.

5th. If the work bid for embraces both labor and material they shall be separately stated, with the prices thereof.

Acceptance.

6th. None but the lowest responsible bid shall be accepted, when such bids are for labor and material; provided, that when the character of the material of the improvement has not been determined upon before the bids are received, the lowest responsible bid for the improvement with the material determined upon after bids have been received, shall

be accepted; but the board may at its discretion accept any bid for both labor and material, which may be the lowest aggregate cost of such improvement or repairs.

Contract between whom; payment; suits to enforce assessments.

7th. The contract shall be between the corporation and the bidder, and the corporation shall pay the contract price for the work in cash; provided, however, that the contract price may be paid in assessments, as the board in its discretion may have previously determined; and suits to recover or enforce such assessments may be brought in the name of the corporation.

When two or more bids equal, etc.

8th. If two or more bids are equal in the whole or any part thereof, and are lower than any others, either may be accepted; but in no case shall the work be divided between them.

In case of collusion or combination.

9th. When there is reason to believe that there is collusion or combination among the bidders or any number of them, the bids of those concerned therein shall be rejected.

Proceedings when assessments to be made for improvements.

Sec. 1707*d*—10. In any case where assessments are to be made for the improvement, the board shall transmit to council with its recommendation, a resolution or ordinance, as the case may be, declaring the necessity of such improvement, or providing therefor, and at the same time shall submit to council an estimate of the cost thereof. Upon the passage by council of the resolution or ordinance, or both where both are required to be passed, it shall be the duty of the board to advertise for proposals in accordance therewith, for a period of at least ten days in two newspapers of opposite politics and of general circulation in such city, to do the work or furnish the material required, or both, and the board shall award the contract to the lowest responsible bidder, or reject all bids; but no contract shall be awarded to any bidder, the cost of which shall exceed the estimate submitted to council.

Removal of garbage, cleaning of streets, etc.

Sec. 1707*d*—11. The board may, at any time, when, in their judgment, the best interests of the city will be subserved, advertise for proposals for the removal of ashes, garbage and dead animals, and for the cleaning of the streets, avenues, alleys, lanes, sewers, drains, culverts, streams and watercourses of the corporation and under the control of the city; when the board determines to contract for such removal or cleaning, it shall advertise for sealed proposals to perform the work, in some newspaper of general circulation within said city, for a period of ten days, and shall contract with the lowest responsible bidder to perform said contract; and for the faithful performance of the same shall demand such security as in its judgment it shall deem proper, or may reject any or all of such proposals or bids.

Execution and filing of contracts.

Sec. 1707*d*—12. The presiding officer of the board shall execute all contracts, attested by the city comptroller and under his seal, in the name of the city, and file them in the office of the board.

Annual statements;

Sec. 1707*d*—15. The board of city affairs shall furnish to the city council on or before the first Monday in April of each year, the following statements:

1st. A statement containing an approximate and detailed estimate of the money needed to pay all lawful expenses of the city and its several departments, officers and institutions, for the current fiscal year; and in calculating the amount of money needed, they shall take into account the money then in the treasury, as well as that collectible in June following, and also the probable proceeds from the tax levy of that year, as they shall estimate the same as hereinafter required, and all other sources of revenue to the city. They shall be equally careful to avoid surpluses and deficits, and shall treat as means available for the current expenses the June and December collections, as soon as under the law and usages they have a right to presume them to be in the treasury, without waiting for their subsequent distribution to the respective funds.

Estimate of money needed for current year.

2d. A statement estimating the total percentage they deem necessary to be levied in that year, so as to provide sufficient means for paying the city expenses for the current year, and they shall also report in said statement to what funds and in what proportions said total levy should, in their opinion, be apportioned as general and special levies; and the board of city affairs is hereby authorized to call upon any city officer for such information as they may deem necessary to the discharge of their duties, and it is made the duty of such officers to furnish the information required.

Estimate of taxes to be levied for current year.

Sec. 1707*d*—16. In all cities of the second grade of the second class, to enable the board of city affairs to estimate correctly the levies and apportionments, as provided in the preceding section, all city officers and heads of departments shall report to the board of city affairs on or before the first Monday of March in each year, the amount of money needed for their respective wants for the ensuing year, and the board of city affairs shall revise such estimates as they deem proper, and shall reduce them so as to prevent unnecessary expenditure.

Annual estimates of money needed; revision.

Sec. 1707*d*—17. On or before the tenth day of May of each year the council shall determine the percentage to be levied for the several purposes allowed by law upon the real and personal property in the corporation returned on the grand levy, and forthwith submit the same to the board of city affairs; within ten days after such submission the board shall return the same to the council with their approval or rejection, and the board may approve part and reject part; in case of rejection the reason shall be given; the parts rejected by the board shall not become valid levies.

Submission and approval or rejection of tax levy.

Sec. 1707*d*—18. The board of city affairs may anticipate the tax authorized to be levied for street cleaning purposes, street improvement, and for general revenue purposes, by temporary loans; but no loan, including the interest thereon, shall be made in excess of the gross amount of revenue raised by taxation for expenditure for such purposes during the then current year; and the taxes so anticipated, when paid into the treasury, shall be first applied to the payment of such loan.

Anticipation of levy for certain purposes.

Limitation of appropriations and contracts; transfer and use of funds.

Sec. 1707*d*—19. The board of city affairs shall not make any appropriations nor contract debts or obligations for either of the purposes specified in the tax levy, as provided in section 1707*d*—15, exceeding the amount of taxes and revenue from other sources for the current year received for such purposes; and the money belonging to one fund shall not be transferred to another, nor be used for any purpose except for which it was collected or received.

Approval of resolutions, ordinances, orders and contracts.

Sec. 1707*d*—20. No resolution or ordinance recommended to and amended in council shall take effect until approved by the board of city affairs; and no resolution or order involving the expenditure of money, or ordinance, order or resolution for the expenditure of money, no contract for the expenditure of money, or for the granting or extension of any franchise, or creating any right, or for the purchase, lease, sale or transfer of property, which shall have passed council, shall take effect until approved by the board; and for such final approval every such ordinance, order, resolution or contract shall be submitted to the board.

Approval of plats or maps; penalty for recording unapproved.

Sec. 1707*d*—21. All plats or maps of lots of ground in cities of the second grade of the second class, shall be approved by the board of city affairs before being approved by the council; and any county recorder who records such map or plat without having the approval of the board of city affairs indorsed thereon shall be guilty of an offense and be fined in any sum not exceeding five hundred dollars.

Salaries of officers and appointees.

Sec. 1707*d*—22. The board of city affairs shall fix the salary and compensation of all officers and appointees of cities of the second grade of the second class, not otherwise provided for, and shall forthwith transmit a statement thereof to council.

Removals.

Sec. 1707*d*—23. A member of the board of city affairs may be removed from office for incompetency, neglect of duty or unfaithfulness of trust by a vote of three-fourths of the members elected to the council.

City comptroller: appointment; term; bond; salary.

Sec. 1707*d*—24. The city comptroller shall be appointed for two years, and before entering upon the duties of his office shall give bond to the satisfaction of the board of city affairs, in a sum of not less than ten thousand dollars, conditioned for the faithful performance of his duties, and he shall receive such salary, payable monthly, as the board may determine.

Records and documents; office of city auditor abolished.

Sec. 1707*d*—25. Upon the appointment of the city comptroller, he shall take possession of, when duly qualified, all records, books, papers, vouchers and documents in his possession pertaining to his office, and thereupon the office of city auditor shall be abolished.

General powers and duties of city comptroller.

Sec. 1707*d*—26. The city comptroller shall have power to administer oaths and take affidavits, and such other powers and perform such other duties as may be prescribed by law or by ordinance, not incompatible with the nature of his office; he shall be general accountant of the city, and shall receive and preserve in his office all

books, bonds, deeds, leases, contracts, vouchers, documents, plats and papers relating to the property, revenues, debts and credits of the city, and the same shall be subject to the inspection of all persons interested; he shall keep regular books of account, showing the transactions of the city with individuals, and the condition of its fiscal affairs; he shall open an account with the city treasurer, in which he shall charge said treasurer with the whole amount of the taxes collected, together with all sums derived from other sources, and shall credit him with all orders properly drawn upon and paid by him, which account shall be settled semi-annually on the first day of March and September, and oftener if required by the board of city affairs.

Payment of claims.

Sec. 1707*d*—27. No claim against the corporation shall be paid by the treasurer except upon the warrant of the city comptroller, countersigned by the president of the board of city affairs, and all boards of trustees, directors or commissioners, having charge of the expenditures of city funds, except the board of police directors, the board of fire commissioners, and water-works trustees, shall certify claims against their respective departments to the city comptroller for payment; but no warrant shall be drawn for any bill or claim against the city until properly approved, and unless there be money actually in the treasury to pay the same.

Beginning of fiscal year; annual report.

Sec. 1707*d*—28. The fiscal year of the city comptroller shall commence on the first day of March, and on or before the third Monday of March of each year he shall make and report to the board of city affairs and the council, an account of the receipts and expenditures of the city for the preceding fiscal year, stating whence the money was received, for what purposes expended, and the exact condition of the several funds, with the indebtedness of the city.

Annual financial statements:

Sec. 1707*d*—29. The city comptroller shall furnish to the board of city affairs and the council, on or before the third Monday of April of each year, the following statements:

Balances.

1st. A statement showing the balance standing to the credit or debit of the several funds on the city balance-sheet at the end of the last fiscal year, immediately preceding the first Monday in April.

Monthly expenditures.

2d. A statement showing the monthly expenditures out of each fund in the twelve months, and the monthly expenditure out of all the funds in the twelve months of the fiscal year preceding said first Monday in April.

Annual expenditures.

3d. A statement showing the annual expenditure from each fund for each year for the five fiscal years preceding said day.

Assistants: appointment; compensation; bond; absence or disability.

Sec. 1707*d*—30. The board of city affairs may appoint necessary assistants to the city comptroller, fix their compensation and require them to give bond for the faithful performance of their duties; and in the absence or disability of the city comptroller, the board may appoint some person to perform the duties of his office.

Seal.

Sec. 1707*d*—31. The board of city affairs shall provide for the city comptroller's office a seal, having in the center the name of the corporation and around the margin the words "city comptroller," which seal shall be affixed to all transcripts, orders, certificates, warrants or other papers which it may be proper to authenticate.

City solicitor: appointment; bond; salary; duties.

Sec. 1707*d*—32. The city solicitor shall be appointed by and give bond to the satisfaction of the board of city affairs, in the sum of not less than twenty-five hundred dollars, conditioned for the faithful performance of his duties, and he shall receive such salary, payable quarterly, as may be provided by order of the board; he shall perform all the duties provided by statute and by ordinance of any such city of the second grade of the second class for the city solicitor, and in addition thereto shall act as the legal adviser of and attorney for the board of city affairs, and all other boards of such city.

Term; vacancies.

Sec. 1707*d*—33. The city solicitor shall hold his office for the term of two years, and until his successor shall have been appointed and qualified; and all vacancies in the office caused by death, resignation, expiration of term or from other cause, shall be filled by appointment by the board of city affairs.

Civil engineer: appointment; term; duties; salary.

Sec. 1707*d*—34. The civil engineer shall be appointed for two years and shall perform such duties as may be prescribed by the board of city affairs, or by any ordinance of the corporation not incompatible with the nature of his office; he shall receive such salary as the board of city affairs may affix.

SECTION 2. *And be it further enacted*, That section 1707 of the Revised Statutes shall be further supplemented with sectional numberings as follows so as to read as follows:

Creation of liabilities.

Sec. 1707*d*—36. No member of the board of city affairs or other person, whether in the employ of the board or otherwise, shall have any power to create any liability on account of the board or the funds under its control, except by express authority of the board, conferred at a meeting thereof duly and regularly convened.

Interest in contracts, etc.

Sec. 1707*d*—37. No member, officer or employe of the board of city affairs shall be directly or indirectly interested in any contract or work of any kind under the direction of the board, and any contract or work in which any such person is interested shall be void; and it shall be the duty of the person having knowledge of the violation of this section forthwith to report the facts to the board, and the board shall give reasonable notice to the persons interested, and at the earliest convenient day investigate the same and hear the evidence on both sides.

Attendance of witnesses; production of books and papers; oaths.

Sec. 1707*d*—38. The board of city affairs shall have power in such cases to compel the attendance of witnesses and the production of books and papers, and the president shall have power to administer the necessary oaths.

Temporary suspension of member of board; decision of question; dismissal of officer or employe.

Sec. 1707*d*—39. If a member of the board of city affairs be involved in any such charge, he shall not again sit or vote on the board until the result of the investigation is determined, announced and entered on the minutes of the board; a majority of the board not involved in the charge shall be sufficient to decide the questions; and if an officer or employe of the board be found upon such inquiry to have violated any of the foregoing provisions, such finding shall operate as a dismissal of such officer or employe.

When contract void.

Sec. 1707*d*—40. If a contract made or authorized by the board of city affairs be found to violate any of the foregoing provisions, it shall at once become void and of no effect, and no money shall be paid for services rendered or materials furnished under the same.

Statement of person claiming money under contract.

Sec. 1707*d*—41. No money shall be paid at any time to any person claiming under a contract with the board, until such person files with the board his statement under oath, disclosing the names of all persons directly or indirectly interested in the contract, or in the proceeds or profits thereof, declaring that no persons other than those named are interested, and that no person forbidden in this chapter has any interest in the same.

Alterations in plans of contract.

Sec. 1707*d*—42. When it becomes necessary in the opinion of the board of city affairs, in the prosecution of any work hereafter ordered, to make alterations or modifications of the specifications or plans of a contract, or to omit from said work any portion of the street or territory originally ordered to be improved, such alteration, modification or omission may be made by order of the board; provided, that such order shall be of no effect until the price to be paid for the work under such altered or modified contract has been agreed upon in writing, and signed by the contractors and some person authorized thereunto by the board; and provided, further, that the total cost of the work, with the addition of the price so agreed upon, shall not exceed the original contract.

Allowance for extra work.

Sec. 1707*d*—43. No contractor shall be allowed anything for extra work caused by any alteration or modification unless an order is made or agreement signed as provided in the preceding section, nor shall he in any case be allowed more for such alteration than the price fixed by such agreement.

Recommendation of ordinance authorizing improvement.

Sec. 1707*d*—44. No ordinance or resolution authorizing any improvement shall be passed by council except upon the recommendation of the board of city affairs.

Measures requiring recommendation by board.

Sec. 1707*d*—45. No grant of the use of a street or highway in any city of the second grade of the second class for the purpose of a street or other railroad, or an extension thereof, or for any purpose whatsoever, shall be made or renewed unless first recommended by the board of city affairs; nor shall any such street or highway be used for supplying gas or water, or be broken up or obstructed for any purpose whatever or on any pretense, unless permission be first given by the board in writing; nor shall a resolution or ordinance for the payment of money in settlement of claims for unliquidated damages be passed, nor any binding agreement for such settlement be

made by council, unless the payment or settlement of such claim be first recommended by the board; nor shall any property used or to be used for the purposes under the control of the board, or for the use of any such city, be purchased, leased or disposed of without such recommendation being first made; and any such measure required to originate in the board of city affairs which is altered, changed or amended in any way, before the taking effect thereof, shall be concurred in by the board.

Dayton board of police directors: appointment.

Police force and officers: appointment; tenure of office of present force and officers, etc.

SECTION 3. *And be it further enacted*, That the board of tax commissioners of such city of the second grade of the second class shall, within ten days after their first regular meeting, appoint a board of police directors, who shall, within sixty days after their first regular meeting, appoint a police force and officers thereof, and the present police force and the officers thereof in such cities shall continue as such under the management and control of the board of police directors only until the appointment and qualification of such new police force and officers; and as appointments of officers and members of the force are within said sixty days made by said board, such officers and members may be designated to take the place of the officers and members of corresponding rank on the present force, who may be thereupon forthwith discharged by the board; and appointments of officers or members of the new force may be made from officers or members of the present force or from other electors of such city.

Police boards and officers:

SECTION 4. *Be it further enacted*, That section one of an act entitled "An act to establish an efficient and non-partisan police in cities of the second grade of the second class," passed March 8, 1887, be so amended as to read as follows:

Dayton board of police directors: members of.

Appointment.

Qualifications; term.

Sec. 1. That in cities of the second grade of the second class, all powers and duties connected with and incident to the appointment, regulation and control of the police force shall be vested in a board of police directors, consisting of four electors of such city, to be appointed by the board of tax commissioners of such city, not more than two of whom shall be of the same political party, two of whom of different political parties shall be designated to serve for two years, and two of whom of different political parties shall be designated to serve for four years; and thereafter at the expiration of each term, and at each period of two years, such tax commission shall appoint two members of such board, who shall be designated to serve for four years. For official misconduct such tax commission may remove any of said members of such board of police directors; and all vacancies in said board shall be filled by such board of tax commissioners for the unexpired term. The members of such board, before entering upon their duties, shall take and subscribe to an oath, which shall be filed and kept in the office of the mayor, to support the constitution of the United States and of the state of Ohio, and in all their official actions and judgments to aim only to secure and maintain an honest and efficient system of police, free from partisan dictation or control. Such board of police directors is hereby invested with all the powers heretofore con-

Removals; vacancies.

Oath.

Powers.

ferred by law upon boards of police commissioners in such cities. Each member of such board of police directors shall receive a salary of three hundred dollars per annum. The board of police commissioners in any city of the second grade of the second class is hereby abolished.

Salary.

Board of police commissioners abolished.

SECTION 5. Said original sections 1707*d*, 1707*d*—1, 1707*d*—2, 1707*d*—3, 1707*d*—4, 1707*d*—5, 1707*d*—6, 1707*d*—7, 1707*d*—8, 1707*d*—9, 1707*d*—10, 1707*d*—11, 1707*d*—12, 1707*d*—15, 1707*d*—16, 1707*d*—17, 1707*d*—18, 1707*d*—19, 1707*d*—20, 1707*d*—21, 1707*d*—22, 1707*d*—23, 1707*d*—24, 1707*d*—25, 1707*d*—26, 1707*d*—27, 1707*d*—28, 1707*d*—29, 1707*d*—30, 1707*d*—31, 1707*d*—32, 1707*d*—33, 1707*d*—34, 1707*d*—35, of the Revised Statutes, and section one of an act entitled "An act to establish an efficient and non-partisan police in cities of the second grade of the second class," passed March 8, 1887, be and the same are hereby repealed.

Repeals.

SECTION 6. That the following section be and the same is hereby enacted as supplementary to section 2690 of the Revised Statutes:

Finance and taxation:

Sec. 2690*l*. In cities of the second grade of the second class there shall be a board of tax commissioners, consisting of six members, electors of such city, who shall be appointed by the judge or judges of the circuit court of the circuit of the state in which any such city may be situated, who may reside in such city, and if there be no such resident judge or judges, then such board shall be appointed by the judges of said circuit court of the circuit in which any such city may be situated. The members of said board of tax commissioners shall be well known for their intelligence and integrity, not more than three of whom shall be of the same political party; two of whom of different political parties shall be designated in their appointment to serve for one year; two others, also of different political parties, shall be designated in their appointment to serve two years; and the remaining two, also of different political parties, shall be designated in their appointment to serve for three years; and thereafter, at the expiration of such terms, the mayor of such city shall appoint two members of said board, of different political parties, to serve for three years; and all vacancies therein by death, resignation, removal or otherwise, shall be filled by the mayor of such city as aforesaid, for the unexpired term, and all vacancies shall be filled so that not more than three of the members of the said board shall be of the same political party. The members of said board of tax commissioners shall not receive any compensation for their services, and before entering upon their duties shall take and subscribe to an oath to support the constitution of the United States, and of the state of Ohio, to obey the laws, and in all their official appointments and actions to aim only to secure an honest and efficient management of the business and affairs of the city, free from partisan dictation and control. Said board shall have power to employ and fix the salary of a clerk, who shall keep a record of their proceedings and do such other work as the board

Dayton board of tax commissioners: members of; appointment.

Qualifications.

Term.

Vacancies.

Compensation.

Oath.

Clerk: employment; salary; duties.

Payment of salary of clerk and expenses of board.

Powers and duties of board.

Evidence of appointment of board.

may direct. The board of city affairs shall provide for payment of the same and for such other reasonable expenses as the board of tax commissioners in the discharge of its duties shall make. The said board shall have all the powers and perform all the duties heretofore conferred by law upon boards of tax commissioners in cities of the second class, first grade. The appointment of said board of tax commissioners by the judge or judges of the circuit court as herein provided shall be evidenced by an order entered upon the journal of said court whether in term time or vacation.

Work-houses:

SECTION 7. *And be it further enacted*, That section 2097 of the Revised Statutes shall be and is hereby so amended as to read as follows:

Appointment and term of office of directors.

Dayton.

Sec. 2097. The directors shall be appointed by the mayor with the approval of the council and shall hold their office for five years except at the first appointment one shall be appointed for one year, one for two years, one for three years, one for four years and one for five years, and thereafter one shall be appointed annually, but provided that in any city of the second grade of the second class, in which a work-house has heretofore been established or may hereafter be established the board of work-house directors shall consist of four members only not more than two of whom shall at any time be members of the same political party; but in any such city of the second grade of the second class in which a work-house has been established and is in operation, the members of the board of directors now in office shall continue in office until their respective terms shall expire, and when the number of members of such board shall be reduced below four by expiration of term or otherwise, the board shall be filled by appointment as provided in this section for any unexpired term; or, if the vacancy is occasioned by expiration of term of office of any member, then the appointment shall be for a term of four years.

Repeals.

SECTION 8. That said original section 2097 be and the same is hereby repealed.

SECTION 9. This act shall take effect and be in force from and after the second day of April, 1892.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.

ELBERT L. LAMPSON.
President pro tem. of the Senate.

Passed March 17, 1892.
86G

[House Bill No. 155.]

AN ACT

To amend sections 2573c and 2573d of the Revised Statutes.

Shops and factories:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That supplementary sections 2573c as amended

April 29, 1885, and 2573*d* passed March 2, 1891, of the Revised Statutes be amended so as to read as follows:

Sec. 2573*c*. That said inspectors, if they find upon such inspection that the heating, lighting, ventilation or sanitary arrangement of any shop or factory is such as to be injurious to the health of persons employed or residing therein, or that the means of egress in case of fire or other disaster is not sufficient, or that the belting, shafting, gearing, elevators, drums and machinery in such shops and factories are located so as to be dangerous to employes, and not sufficiently guarded, or that the vats, pans or structures filled with molten metal or hot liquid are not surrounded with proper safeguards for preventing accident or injury to those employed at or near them, shall notify the owners, proprietors or agents of such shops or factories to make the alterations or additions necessary within thirty (30) days; and if such alterations or additions are not made within thirty (30) days from the date of such notice, or within such time as said alterations can be made with proper diligence upon the part of such proprietors or owners, said proprietors, owner or agent so notified shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not more than five hundred ($500) dollars, and not less than fifty ($50) dollars, and ten ($10) dollars additional for each day after such conviction, until such alterations and additions necessary have been made, which fine shall be paid into the treasury of the county in which conviction is had. The district inspectors shall make a record of all examinations of shops and factories in their respective districts, showing the date when made, the condition in which such shops and factories are found, and what changes were ordered, the number of shops and factories in their respective districts, the number of men, women and children employed in each shop or factory, together with all such other facts and information of public interest concerning the condition of such shops and factories as they may think useful and proper, which record shall be filed in the office of the chief inspector every week to be by him recorded, and so much thereof, as may be of public interest, to be included in his annual report. The chief inspector shall issue such instructions, make such rules and regulations for the government of the district inspectors not inconsistent with the powers and duties vested in them, by law, as shall secure uniformity of action and proceedings, throughout the different districts. The salary of the chief inspector shall be fifteen hundred dollars ($1,500) per annum, and the district inspectors one thousand dollars ($1,000) each per annum, which salaries and all necessary traveling expenses incurred by said inspectors in the discharge of their official duties, shall be paid out of the treasury of the state, from any fund therein not otherwise appropriated, on the warrant of the auditor, on the presentation to him of the proper vouchers.

Notice of necessary alterations or additions.

Penalty for failure to make.

Record of examinations.

Instructions, rules and regulations for government of district inspectors.

Salaries and expenses of inspectors.

Sec. 2573*d* The term "shops and factories," as used in sections 2573*b* and 2573*c* of the Revised Statutes of Ohio,

"Shops and factories" defined.

shall be held to include the following: Manufacturing, mechanical, electrical, mercantile, art and laundrying establishments, printing, telegraph and telephone offices, hotels, tenement and apartment houses, and in case it is found, on an inspection under section 2573*c* that the means of egress in case of fire or other disaster is not sufficient in any shop or factory as defined herein, the owner or agent for the owner of such building may be required by the state inspector upon the notice and under the penalties of said section 2573*c* to provide the necessary fire escapes.

Fire escapes.

Repeals.

SECTION 2. The said supplementary sections 2573*c*, as amended April 29, 1885, and section 2573*d*, passed March 2, 1891, be and the same are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed March 17, 1892.
87G

[House Bill No. 273.]

AN ACT

To amend section 5180 of the Revised Statutes of Ohio.

Summoning jury, etc.:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 5180 of the Revised Statutes of Ohio, be amended so as to read [as] follows:

Who are exempt from serving on juries.

Sec. 5180. Public officers, clergymen, and priests, physicians, attorneys at law, members of the police force, or firemen employed by the authority of a municipal corporation, acting volunteer members of companies for the extinguishment of fires organized under and subject to the control of a municipal corporation, and persons who serve as active members of such company for five consecutive years, and all persons over seventy years of age, shall be exempt from service on juries.

Repeals.

SECTION 2. Said original section 5180 be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed March 17, 1892.
88G

[House Bill No. 329.]

AN ACT

To further supplement section 2293a of the Revised Statutes and the acts supplementary thereto and amendatory thereof.

Assessments:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 2293*a* of the Revised Statutes of Ohio, as supplemented in sections 2293*b*, 2293*c*, and 2293*d*, and 2293*e* be and the same is hereby further supplemented with sectional numbering as follows:

Payment of cost of improvements for which city liable, and non-collectible assessments (Cincinnati).

Sec. 2293*f*. In cities of the first grade of the first class the board of administration, or its successors in office, shall have authority to pay out of the pavement fund, the granite pavement fund, or the additional granite pavement fund provided for under the provisions of section 2293*a*, passed April 25, 1885; section 2293*b*, passed April 4, 1888; section 2293*c*, passed April 5, 1889, and section 2293*d*, passed April 8, 1891, in addition to the one-half provided for by paragraph 7 of section 2293*a*, the amount heretofore or hereafter assessed for improvements under said acts against any property belonging to any such city, or against any public school property, or against any other property for which the city is liable, and shall also be authorized to pay out of said fund any delinquency now existing or hereafter arising in the collection of the assessments against abutting private property made under said acts, caused by the non-collectibility of all or any portion of any such assessments; and when bonds have been issued for any such assessments, for which the city is liable as aforesaid, the board of administration shall not be required to pay interest on such assessments beyond the date when payment is made.

When bonds have been issued, etc.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed March 17, 1892.
89G

[House Bill No. 418.]

AN ACT

To authorize township trustees in certain townships in the state of Ohio to issue bonds for the purpose of public improvements.

Public improvement bonds (Mohican township, Ashland county).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the township trustees of any township of not less than fifteen hundred and thirty, nor more than fifteen hundred and thirty-six, in any township which at the last federal census had a population of not less than fifteen hundred and thirty, nor more than fifteen hundred and thirty-six, be and the same are hereby authorized and empowered to

Amount; denominations; interest; payable.

issue the bonds of such township in any sum not exceeding twenty thousand dollars in denominations not exceeding one thousand dollars each, bearing interest not exceeding six per cent. per annum, payable semi-annually, and payable at any time not exceeding fifteen years from the date of their issue, as the township trustees of such township shall determine.

Advertisement and sale.

Said bonds shall be advertised for public sale; the sale of said bonds shall be to the highest and best bidder, after thirty days' notice in at least two newspapers of general circulation in said Ashland county, Ohio, setting forth the nature, amount, rate of interest and length of time the bonds have to run, with the time and place of sale; said bonds shall be sold at not less than their par value.

Application of proceeds.

SECTION 2. The proceeds arising from the sale of said bonds or any portion of them shall be expended for the purpose of aiding and encouraging public improvements in such township.

Regular or special election.

SECTION 3. Before such bonds or any of them shall be issued the question of issuing the same shall be submitted to a vote of the qualified electors of such township at a regular or special election to be held at the usual places of voting in such township, and at such time as the trustees thereof may determine.

Ballots.

The ticket to be voted at such election shall have written or printed thereon, "Authority to issue bonds—Yes." "Authority to issue bonds—No."

Issue and sale of bonds conditional.

If the proposition to issue bonds be approved by a majority of those voting thereon at such election, then the township trustees of such township may issue and sell said bonds for the purpose heretofore named and as provided in this act.

Notice and conduct of election.

Notice of such election shall be published in at least two newspapers published or circulating in such township for not less than ten days prior to such election, which shall in all respects not herein provided for, be managed and conducted as other township elections are, or may be required by law to be managed and conducted in township elections.

Additional tax levy.

SECTION 4. To pay the principal and interest of any of said bonds as the same shall become due, the trustees of such township are authorized and empowered to levy a sufficient tax on all the taxable property of any such township in addition to all other taxes authorized by law; said tax shall be levied and collected as other taxes in such townships.

Limitations.

SECTION 5. That if the bonds herein provided for shall not be issued or disposed of within five years from April 1, 1892, then this act shall be null and void, and if at the expiration of that time there remains a portion of said bonds which have not been issued or disposed of, then that portion of said bonds shall be void and of no effect.

SECTION 6. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed March 17, 1892.

[House Bill No. 218.]

AN ACT

To amend section 3376 of the Revised Statutes of Ohio.

Railroad companies:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 3376 of the Revised Statutes be so amended as to read as follows:

Penalties for overcharging for transportation of passengers or freight, refusing to switch or transport cars of other companies, overcharging for such service, etc.

Sec. 3376. That any such company which violates or permits to be violated any of the provisions of the two preceding sections, or of sections 3340 and 3341, or which demands or receives a greater sum of money for the transportation of passengers or property, or for the service provided for in either of said sections 3340 and 3341, on or over its road, or any of the tracks or sidetracks specified in either of said sections 3340 and 3341, than the sum allowed by law, shall pay to the party aggrieved for every such overcharge, a sum equal to double the amount of the overcharge; and any officer, employe, or agent of any such company who violates, or permits to be violated any of such provisions, or demands or receives such sum of money, shall be subject to the like penalty to the party aggrieved; but in no case shall the amount to be paid be less than one hundred and fifty dollars to any bona fide claimant using the road of such company, or demanding or receiving any of the service provided for in said sections 3340 and 3341, in due course of his business; and also, such further sum as exemplary damages, as a jury may award, not in any one case in excess of two thousand dollars.

Repeals, etc.

SECTION 2. That said section 3376 be and the same is hereby repealed; and this act shall take effect on its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed March 17, 1892.
91G

[Senate Bill No. 124]

AN ACT

To authorize the council of any incorporated village having a population by the last federal census or by any following census of not less than 3,052 nor more than 3,060, to issue bonds for the improvement and paving of its streets and alleys.

Street and alley improvements in certain villages.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of any incorporated village which had, according to the federal census of 1890, or which at any subsequent census may have a population of not less than 3,052 and more than 3,060, is hereby authorized to improve and pave the streets and alleys of such village.

Bonds:

Amount.

Attestation; denomination; payable; interest.

Sale; notice thereof.

Street improvement fund.

Additional tax levy.

Regular or special election.

Notice.

Ballots.

Issue conditional.

Assessments upon abutting property.

Portion of cost to be paid out of improvement fund.

Certification

SECTION 2. That the council of such a village is hereby authorized and empowered at any time within three years after the passage of this act, to borrow the sum of fifteen thousand dollars ($15,000.00), for the purpose of improving and paving the streets and alleys of such village, and to issue the bonds of such village therefor. Said bonds shall be signed by the mayor of such village and be countersigned by the clerk thereof, and shall be in sums of not more than $500.00, and not less than $100.00 each, and shall be payable not more than ten years from the date thereof, and shall bear interest at a rate not to exceed six per centum per annum, payable semi-annually. Said bonds shall be sold at the council chamber in said village, after notice of such sale shall have been given in a newspaper published in the village for two successive weeks, of the time and place of such sale, which shall not be less than ten days after the first publication of said notice. Said bonds shall be sold to the highest bidder, and for not less than the par value thereof. The money arising from the sale of said bonds shall be known as the street improvement fund, and shall not be used for any other purpose. In addition to other taxes the council of such village is hereby authorized, empowered and required to levy a sufficient tax upon all the taxable property in said village to meet and pay said bonds and interest thereon as the same shall become due and payable. The question of borrowing said money and of issuing said bonds and levying said tax shall first be submitted to the qualified electors of said village at a special election called by order of the council of said village for said purpose, or at the regular municipal election following the passage of this act, as the said council shall determine, of which at least ten days' notice shall be given by publication, signed by the mayor of said village in a newspaper published in said village, stating the time and place of holding said election. At said election the ballots shall have written or printed thereon, "Street improvement bonds and tax—Yes," or "Street improvement bonds and tax—No;" and if [it] shall appear that a majority of the electors voting on said question at said election had upon their ballots "Street improvement bonds and tax—Yes," then said council shall proceed to borrow said money, issue and sell said bonds and levy said tax as provided for in this section.

SECTION 3. That two-thirds of the costs of any street or alley in said village improved or paved, for the improvement or paving of which the improvement fund herein raised is used, shall be assessed on the real estate bounding and abutting thereon, according to the foot frontage of said real estate bounding and abutting on said street, and no more than one-third of the entire cost of improving and paving of any street, including the street crossings and street intersections shall be paid out of the fund provided for in this act, the remaining two-thirds of the cost of such street improving and paving shall be assessed upon the lots and land bounding and abutting upon said street as is provided by the general laws of the state of Ohio. After such improving and paving of any such

street shall have been completed, the clerk of such village shall certify said assessment to the auditor of the county or counties in which said village is located, who shall enter the same upon the tax duplicate of said county or counties, and said assessment shall be collected as other taxes; when said taxes have been collected the same shall be placed to the credit of the sinking fund in said village and be a part thereof. Such assessment shall be collected in twenty semi-annual installments from and after the assessment thereof; but the owner of any such assessed property may, within ninety days after such assessment shall have been made, pay to the treasurer of such village the entire amount of his or her assessment, together with interest at six per centum on said assessment to the date when the first semi-annual installment is due, and such treasurer shall give a receipt in full for such assessment and certify the same to the county auditor of said county or counties, who shall place the same on the tax duplicate opposite such assessed property, "Assessment paid to village treasurer;" provided, however, that no such assessment shall be made and collected unless a majority of those owning real estate bounding and abutting on any street thus improved and paved, shall have first signed a petition to said council, praying for the improvement and paving of such street; and providing further, that said council shall have first found that a majority of such property owners shall have signed said petition.

and collection of assessments.

Sinking fund.

How assessments collected; payment within ninety days.

Petition for improvement.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed March 17, 1892.
92G

[Senate Bill No. 57.]

AN ACT

To amend sections 3739, 3747 and 3748 of the Revised Statutes of Ohio.

[SECTION 1.] *Be it enacted by the General Assembly of the State of Ohio,* That sections 3739, 3747 and 3748 of the Revised Statutes of Ohio be amended so as to read as follows:

Colleges, etc.:

Sec. 3739. If the number of the conferences or other religious bodies patronizing any such university or college, the board of trustees of which has been divided into classes as hereinbefore provided, be increased to not exceeding six, the board of trustees shall be enlarged to the extent of one additional class of trustees for each of such additional conferences or other religious bodies, such additional classes to have in each a number of trustees equal to the number in any one of the former classes; and each of such additional confer-

When the board of trustees is to be enlarged, etc.

ences or other religious bodies may elect, as members of the board, the number in its class, one for one year, one for two years and one for three years, and so on to the extent of the number; and each of such additional conferences or other religious bodies may fill any vacancy in its class. And such board of trustees composed according to the foregoing provisions and the provisions of section thirty-seven hundred and forty-seven of this chapter, without regard to the number of members so composing it, may increase its own numbers by the election of trustees at large, not exceeding the number of conferences or other religious bodies coöperating with or patronizing such university or college, and may divide such trustees at large into classes, at its discretion.

Trustees at large.

Alumni may elect trustees and visitors.

Sec. 3747. After such acceptance by the board of any university or college, the alumni thereof (composing the alumnal association thereof) may elect as members of the board of trustees of such college or university, members of such alumnal association, in numbers equaling the numbers of the conferences coöperating with or patronizing such university or college, and may divide such alumnal trustees into classes, and perpetuate the same; and such alumni may, at the same time, elect as visitors members of their association equaling in numbers one-half of the numbers of the conferences or other religious bodies coöperating with or patronizing such university or college, and such visitors shall have the same powers and duties as visitors appointed by any conference or other religious body aforesaid; provided, that when women are members of the alumnal association so electing, they shall be eligible as visitors; provided, further, that the board of trustees shall be judge of the validity of the election and the returns thereof, of trustees and visitors elected under this section.

Conduct of election.

Sec. 3748. The election of trustees and visitors by the alumni shall be by ballot, and held each year, beginning the year after such acceptance, on the secular day next before the day of commencement of such university or college, at such place in a building on its grounds as may be designated by the president of the alumnal association by written notice posted the day before the election in at least two public places on such grounds; and the polls shall be opened at the hour named in said notice, which shall not be later than three o'clock p. m., and shall be kept open for two hours thereafter. The election shall be conducted by three judges and two clerks, who shall be members of said association and be chosen by the members present at the place of voting at the time for opening the polls, and they shall certify to the board of trustees the result of such election, with a list of the members voting thereat; each ballot shall contain the names of the persons voted for, the office which each is to fill and a designation of the term for which he is to serve. At such election all members of the alumnal association of such university or college shall be entitled to vote, and members not in attendance may exercise their right by sending ballots conformable to the foregoing provisions, with their names thereon indorsed,

and addressed under seal to the president of such association.

SECTION 2. That said original sections 3739, 3747 and 3748, to which this is amendatory, be and are hereby repealed. Repeals.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.

ELBERT L. LAMPSON.
President pro tem. of the Senate.

Passed March 17, 1892.
93G

[Senate Bill No. 19.]

AN ACT

To amend section four of an act to regulate the manufacture, sale and use of dynamite within the state of Ohio, passed April 30th, 1885 (82 O. L., 182).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section four of an act entitled "An act to regulate the manufacture, sale and use of dynamite within the state of Ohio," be amended so as to read as follows: Dynamite:

Sec. 4. It shall be unlawful for any person, firm or corporation to engage in the manufacture of dynamite or other nitro-explosive compounds within this state without having first procured the certificate of license provided for in the preceding section, or within one hundred and sixty rods of any occupied dwelling or public building, except that the trustees of any township may, if in their judgment they deem it expedient and proper, authorize the location and establishment of such manufactory at a less distance than one hundred and sixty rods from any occupied dwelling, and it shall also be unlawful for any person, firm or corporation to store nitro-explosive compound in any quantity exceeding one hundred pounds within the limits of any municipal corporation, or within fifty rods of any occupied dwelling or public building without the limits of any municipal corporation, and it shall be the duty of the township trustees, upon the complaint of any two citizens of the township that a larger quantity of dynamite or other nitro-explosive compound than one hundred pounds is stored or kept within a less distance than fifty rods of any occupied dwelling or public building, to make careful examination and inspection of the premises wherein it is complained that such dynamite or other nitro-explosive compound is stored or kept, and if upon such inspection the said trustees find that the provisions of this act have been violated, it shall be their duty to proceed immediately, at the expense of the township, to prosecute the person, firm or corporation guilty of the violation; and such trustees if upon examination find a larger quantity of dynamite or other nitro-explosive compound Penalties in regard to the manufacture, storage and transportation of dynamite.

stored or kept within fifty rods of an occupied dwelling or public building, they shall proceed immediately to remove the same to a distance to comply with the law. And it shall be unlawful for any person, firm or corporation to transport or carry the same in any package not having written or printed upon two sides thereof in plain and distinct letters the words "dynamite—dangerous," or in any railroad car or water craft without having the package containing the same marked as above; and any one convicted of the violation of the provisions of this section shall be fined in any sum not less than three hundred nor more than five hundred dollars, or imprisoned in the county jail not less than three months nor more than one year, or both, at the discretion of the court.

Repeals.

SECTION 2. That the original section four be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed March 17, 1892.
94G

[House Bill No. 552.]

AN ACT

To regulate the daily hours of service of officers and firemen in the fire department of certain cities of Ohio.

Daily hours of service of officers and members of fire department (Cleveland).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That, in cities of the second grade of the first class, all officers and firemen in the service of the fire department in such cities shall, in addition to the annual leave of absence provided for by section 2463, be alternately relieved from duty for the space of twelve hours in each day without loss of pay, under such rules and regulations, and subject to such restrictions as the proper authorities of said fire department in such cities may find necessary to maintain its efficiency.

Repeals.

SECTION 2. That all acts and parts of acts in conflict with the above, so far as they apply to this act, are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after the first day of January, 1893.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed March 17, 1892.
95G

[House Bill No. 280.]

AN ACT

To amend section one of an act entitled "An act to provide for the mode of conducting elections, to insure the secrecy of the ballot and prevent fraud and intimidation at the polls, and to repeal certain statutes therein named," passed April 30, 1891.

Conduct of elections:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section one of an act entitled "An act to provide for the mode of conducting elections, to insure the secrecy of the ballot and prevent fraud and intimidation at the polls, and to repeal certain statutes therein named," passed April 30th, 1891 (O. L. v. 88, p. 449), be and the same is hereby amended so as to read as follows:

How election of public officers to be conducted; exceptions.

Sec. 1. That hereafter elections of all public officers in the state of Ohio shall be conducted in accordance with the provisions of this act; except, however, April and all special elections for township (including justices of the peace), and municipal officers of hamlets and villages not divided into wards, whose population by the last federal census was less than 3,500, and municipalities situate in two or more counties, elections for school directors, subdistrict directors and members of school boards and boards of education in township, special and village school districts, when such villages have a population by the last federal census of less than 3,500 and are not divided into wards, and the submission of all questions to be voted upon at such April and special elections, shall be exempt from the operation of the provisions of this act, and notice of such elections, the manner of holding the same, the returns thereof, and the canvass of such returns shall be given, held and made as required by law.

Repeals, etc.

SECTION 2. That said original section No. one is hereby repealed; and this act shall take effect on its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.

ANDREW L. HARRIS,
President of the Senate.

Passed March 18, 1892.

96G

[House Bill No. 14.]

AN ACT

To provide for graduation from the common schools of subdistricts and special districts.

Examinations in subdistricts and special districts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That each board of county school examiners shall have power to, and shall make all necessary provisions and arrangements for, and shall hold examinations of pupils of the subdistricts and special districts in the subjects of orthography, reading, writing, arithmetic, geography, physical geography, English grammar, United States history and

Subjects.

Where and when held; object.

physiology. Such examinations shall be held in the county seats on the first Saturday of April and May of each year, and shall be of such a character as shall enable the successful applicants to enter any high school in the county.

Oration, declamation or essay.

Diploma.

Annual address.

Township commencement.

SECTION 2. To each successful applicant who shall deliver an oration or declamation, or read an essay in some public place provided by the clerk of the township board of education, a diploma shall be formally presented on the first Saturday of June next after the examination of such successful applicant, in the county seat, at the conclusion of the annual address, which address shall be provided by the board of county school examiners. Provided that the township commencement shall be under the direction of a teacher of the township who shall have been appointed to that duty by the clerk of the township board of education.

Tuition.

SECTION 3. The tuition of such graduates as may attend any village or city high school of the county may be paid by the board of education of the special or township districts in which such pupils may reside.

Compensation of examiners and contingent expenses.

Expenses of township commencement.

SECTION 4. The compensation of the county examiners for their official services and the necessary contingent expenses incident to examinations and commencements, shall be paid out of the county treasury in manner provided in section 4075 of the Revised Statutes; provided, however, that the expenses of the township commencements shall be paid by the township board of education.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.

ANDREW L. HARRIS,
President of the Senate.

Passed March 22, 1892.

97G

[House Bill No. 114.]

AN ACT

To amend sections 5298, 5301, and 5302 of the Revised Statutes, as amended April 15, 1890. (87 O. L., 206.)

Exceptions:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 5298, 5301 and 5302 of the Revised Statutes, as amended April 15, 1890 (87 O. L., 206), be amended to read as follows:

When exceptions must be taken and reduced to writing.

Sec. 5298. The party objecting to the decision must except at the time the decision is made, and time may be given to reduce the exception to writing, but not more than fifty days beyond the date of the overruling of the motion for a new trial, or from such decision by the court when a motion for a new trial is not necessary.

Sec. 5301. When the decision is not entered on the record, or the grounds of the objection do not sufficiently appear in the entry, or the exception is to the decision of the court on a motion to direct a nonsuit, or to arrest the testimony from the jury, or for a new trial for misdirection by the court to the jury, or because the verdict, or if a jury is waived, the finding of the court is against the law and the evidence, or on the admission or rejection of evidence, the party excepting must reduce his exceptions to writing, and present the same to the trial judge or judges for allowance within fifty days after the overruling of the motion for a new trial, or the decision of the court where a motion for a new trial is not necessary. Provided, that in case the trial judge or judges be absent from the district or circuit when such bill of exceptions is so prepared for allowance, then the same may be deposited within said fifty days with the clerk of the court for the examination and allowance by such trial judge or judges, who shall be required to sign the same, if correct, on or before the fifth day of the term of the court next ensuing after the expiration of said forty [fifty] days.

When bill of exceptions must be presented for allowance.

In case of absence of trial judge or judges.

Sec. 5302. If the exception be not true, then, after it is corrected, the trial judge, or a majority of the judges composing the trial court must allow and sign it before the case proceeds; or if the party excepting consents within fifty days after the overruling of the motion for a new trial, or the decision of the court when a motion for a new trial is not necessary; or in case of the absence of the trial judge or judges from the district or circuit, on or before the fifth day of the next ensuing term of the court, in accordance with the provisions of section 5301; the bill of exceptions shall be filed with the pleadings, and, if the party filing the same request it, made a part of the records, but not spread upon the journal; and an entry of the allowance and signing of the same must be entered upon the journal of the court within the time fixed for such allowance and signing. Provided, that where exceptions are not allowed and signed during the progress of the trial, the party excepting shall submit the bill of exceptions to the opposite counsel for examination not less than ten days before the expiration of said fifty days; and unless the trial judge or judges shall be absent from the district or circuit as provided in section 5301, the same shall be submitted to him or them for his or their signature, not less than five days before the expiration of said fifty days. Provided further, that the trial judge or judges may at his or their discretion extend the time for signing such bill of exceptions for a period not exceeding ten days beyond the expiration of said fifty days; which extension must be indorsed on the bill of exceptions by said trial judge or judges.

Time of its allowance and signing.

In case of absence of trial judge or judges.

Filing and record.

Entry upon journal.

Submission to opposite counsel.

Submission to trial judge or judges for signature.

Extension of time for signing.

SECTION 2. Said sections 5298, 5301 and 5302, as amended April 15, 1890, are hereby repealed.

Repeals.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 22, 1892.
98G

[House Bill No. 316.]

AN ACT

To amend sections 4650 and 4668, and to repeal section 4660, of the Revised Statutes.

County roads:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 4650 and 4668 of the Revised Statutes be amended as follows:

Duties of commissioners on report of view.

Sec. 4650. The commissioners, on receiving the report of the viewers, shall cause the same to be publicly read on two different days of the same session, and if no application be made to them for a review of the road or any part thereof, or alteration, and they are satisfied that such road or any part thereof, if the same be capable of division, will be of public utility, and the report of the viewers is favorable thereto, and no damages have been claimed or assessed, shall, on the third day of the session, cause the report, survey and plat to be recorded; and from thenceforth the road shall be considered a public highway, and the commissioners shall cause said road to be opened by contract; but if the report of the viewers be against such proposed road or alteration, or if, in the opinion of the commissioners, the same is unnecessary, no further proceedings shall be had thereon; and the obligors in the bond securing the expenses shall be liable for the full amount of such costs and expenses.

Road vacated when unopened for seven years.

Sec. 4668. Any county road or part thereof, which has heretofore or may hereafter be authorized, which remains unopened for public use for the period of seven years after the order is made or authority granted for opening the same, shall be and the same is hereby vacated, and the authority granted for erecting the same barred by lapse of time.

Repeals.

SECTION 2. That said original sections 4650, 4660 and 4668, Revised Statutes, are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 22, 1892.
99G

[House Bill No. 411.]

AN ACT

To amend section 7026 of the Revised Statutes of Ohio.

Offenses against chastity:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 7026 of the Revised Statutes be amended so as to read as follows:

Indecent exposure and obscene or licentious language.

Sec. 7026. Whoever being over fourteen years of age wilfully makes any indecent exposure of his person in any public place, or in any place where there are other persons to be offended, or annoyed thereby, or utters or uses any obscene or licentious language or words in the presence or hearing of any female, shall be fined not more than two hundred dollars, or imprisoned not more than six months, or both.

Penalty.

Repeals, etc.

SECTION 2. That said original section 7026 be and the same is hereby repealed; and this act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 22, 1892.
100G

[House Bill No. 415.]

AN ACT

To authorize any city of the second class, fourth grade, that had at the last federal census, or that may have at any future federal census, a population of not less than 6,240 and not more than 6,260, to issue and sell the bonds of such city to construct, own and maintain an electric light plant, for the purpose of supplying electric lights for streets, alleys and other public places in such city, and to the inhabitants thereof.

City electric light plant (Martin's Ferry).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of any city of the second class, and fourth grade, that had at the last federal census, or that may have at any future federal census, a population of not less than 6,240 and not more than 6,260, shall have power whenever it may be deemed expedient and for the public good, to construct, own and maintain at the expense of the corporation an electric light plant for the purpose of supplying electric lights for the streets, alleys and other public places in such city, and to the inhabitants thereof. To construct, own and maintain such plant, the council of such city may issue and sell its bonds in amount not to exceed $25,000.00 in denominations such as the council may deem best, but no such bonds shall bear more than six per cent. interest, payable at such time and place as council may direct, and shall not be sold for less than their par value.

Bonds: amount; denomination; interest; sale.

Question to be submitted to the voters.

SECTION 2. That before such electric light plant shall be constructed or authorized to be constructed, and before such bonds shall be issued and sold, any such city shall proceed as provided in section 2837 of the Revised Statutes of Ohio.

Additional tax levy.

SECTION 3. For the payment of such bonds and the interest thereon, such city shall levy a tax as provided in section 2836 of the Revised Statutes of Ohio.

Board of trustees: appointment; duties; term.

SECTION 4. When such electric light plant shall have been constructed or authorized to be constructed, at the expense of the city, the council shall appoint a board of three trustees, which shall construct said electric light plant according to plans and specifications to be furnished by the city council, and to manage said electric light plant, when it shall have been constructed, and supply lights for streets, alleys and other public places in such city and to the inhabitants thereof; and the trustees, who shall be freeholders, shall serve until their successors are elected and qualified.

Laws by which city and its officers and agents to be governed.

SECTION 5. That where any such city shall construct or authorize the construction of an electric light plant, for supplying light for public and private use, the provisions of chapters one and three, of division eight, of title twelve of the Revised Statutes of the state of Ohio, respecting the general powers of such cities, as to taking lands, rights and easements for such purpose, as to the election of trustees; their powers to make by-laws and regulations, sell light to the inhabitants thereof and collect light bills, their duties to make reports to the council and to deposit money collected and the disposition of vouchers therefor; the mode of keeping and disbursing funds arising from the sale of lights to private consumers within its corporate limits; their authority to make contracts and to have general supervision and control of such plant; the authority of the council of any such city to investigate all matters pertaining to the management of such plants, and removal of any officer thereof; the protection of poles, wires and attachments, the rules as to the letting of contracts and requiring bonds as to the performance thereof, so far as the provision of such statutes are applicable, shall govern all such cities, their officers and agents in all such cases not otherwise provided for by statute; provided, that nothing herein shall permit any such city to contract for and furnish lights to any consumer not within the corporate limits of such city.

SECTION 6. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 22, 1892.
1016

[House Bill No. 655.]

AN ACT

To authorize certain cities to transfer funds.

Transfer of funds (Ironton).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of any city which at the last federal

census had, or which at any subsequent federal census may have, a population of not less than 10,925 nor more than 10,950, be and the same is hereby authorized and empowered to transfer not to exceed the sum of $2,000.00 from the bridge fund, to the new street fund, and to transfer the sum of $3,000.00 from the sewer fund to the new street fund of such city.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 22, 1892.
102G

[House Bill No. 3.]

AN ACT

To amend section 4215 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 4215 of the Revised Statutes be amended so as to read as follows: Animals:

Sec. 4215. Any person damaged by the killing or injury of sheep by dog or dogs may present a detailed account of the injury done, with damages claimed therefor, verified by affidavit at any regular meeting of the trustees of the township where the damage or injury occurred, and within six months thereafter, which account shall state the kind, grade, quality and value of the sheep so killed, and nature and amount of the injury, and shall make it appear to the satisfaction of the trustees upon the parol testimony of at least two other persons who are freeholders of the neighborhood where the injury was done, that the damage claimed is just and reasonable, and also make it appear that such injury was not caused in whole or in part by any animal kept or harbored by him, or by an employe or tenant of the owner upon such owner's premises, and that he does not know whose animal committed such injury, or, if known, and such account reduced to judgment could not be collected on execution; and the witnesses in such cases, not exceeding two, shall be allowed fifty cents each and mileage as in other cases; the trustees are hereby authorized and empowered to administer oath or affirmation to any such claimant or witness. Provided, however, that if the sheep killed or injured are in the care of an employe or tenant of the owner of the same, such affidavit may be made by such employe or tenant, and the testimony of such employe or tenant may be received in regard to all matters relating thereto to which such owner would be competent to testify. The trustees shall hear such claims in the order of their filing and may allow the same or such parts thereof as they may deem right, and if satisfied that such

Statement of damages for sheep killed or injured by dogs.

Witnesses.

Fees of witnesses.

Oath of claimant and witness.

Employe or tenant.

Hearing, allowance, indorsement, transmission and

record of claims.

claim is correct and just, they shall indorse thereon the amount allowed, and transmit the same with the testimony so taken, together with the fees due witnesses over their own official signature to the county commissioners, in care of the county auditor, who shall enter upon a book to be kept for that purpose in their order, each claim received; the county commissioners shall, at their regular meeting in September, examine the same and if found in whole or in part correct and just, order the payment thereof, or such parts as they may have found correct and just, out of the fund created by the per capita tax on dogs, of such attested and certified claims as may have been received during the year preceding such meeting. If such fund is insufficient to pay all such claims in full, they may be paid pro rata; and if after paying all such claims at any such session there remains more one thousand dollars of such fund, the excess, or a part thereof, may be transferred to the school fund, and be used for the benefit of the common schools in such county; but in Cuyahoga county so much of excess as may be required may be appropriated to the payment of the amount authorized by the second section of the act relating to industrial schools or children's homes, passed April 24th, 1877; and provided, further, that in counties having therein a city of the third grade of the first class in which there exists a society "to prevent cruelty to animals," organized under chapter 12, title 2, of the Revised Statutes, the said excess shall be paid over to the treasurer of said society; all accounts, affidavits and testimony shall be made upon blanks, the form of which shall be prepared by the secretary of state, and which blanks shall be furnished by the county commissioners.

Examination and order for payment.

When fund insufficient; transfer of excess.

Cuyahoga county.

Lucas county.

Blanks for accounts, affidavits and testimony.

Repeals.

SECTION 2. That section 4215 of the Revised Statutes is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.

ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed March 22, 1892.

103G

[House Bill No. 196.]

AN ACT

To amend section 4705 of the Revised Statutes of Ohio.

Appeals in road cases:

SECTION 1. *Be it enacted by the General Assemb'y of the State of Ohio*, That section 4705 of the Revised Statutes of Ohio be and the same is hereby amended so as to read as follows:

When claimant to pay costs.

Sec. 4705. If by the final decision in the probate court, any claimant of compensation and damages do not obtain a greater sum than was awarded to him by the order of the

commissioners or township trustees from which he appealed, he shall pay all costs created by his appeal, so far as the court can ascertain the same, and judgment shall be rendered against him for the same; and in cases not hereinbefore specially provided for the court shall give such judgment in respect to costs as may be equitable, and the county commissioners may, in their discretion, pay out of the county treasury any part or all of any costs that may be adjudged against defendants if in their opinion the public utility and the justice of the case justifies it.

Equitable judgment in respect to costs; payment of costs adjudged against defendants.

SECTION 2. That section 4705 of the Revised Statutes of Ohio be and the same is hereby repealed.

Repeals.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed March 22, 1892.
104G

[House Bill No. 286.]

AN ACT

To enact section 5714*a* supplementary to section 5714 of the Revised Statutes of Ohio, relative to the assignment of dower.

Dower:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following section be enacted supplementary to section 5714 of the Revised Statutes of Ohio, with sectional number as follows:

Proceedings when estate consists of timber lands or other unimproved lands.

Sec. 5714*a*. When an estate of which a widow or widower is dowable consists, in whole or in part, of timber lands or other unimproved lands or lots, the commissioners, appointed as hereinbefore provided, shall return to the court a true appraisement of such lands in money, and also a true appraisement of the annual rental value thereof, and if it shall appear to the court, upon the hearing of such report, that the assignment of dower in such lands, either by metes and bounds or as of the rents, issues and profits, can not be made so as to provide such widow or widower with an income from the lands or lots so charged, commensurate with the value of the same, as fixed and determined by said commissioners, the court shall determine the value of such dower in money, and make an order directing the sheriff to advertise and sell the lands, so charged with dower, or so much thereof as may be necessary, as upon execution; provided, said sheriff shall not be required to cause such lands to be appraised, but the value thereof as returned by said commissioners shall be taken as the appraised value thereof, and such lands shall not be sold for less than two-thirds such appraised value; upon the confirmation of such sale the court shall order the payment to such widow or widower out of the moneys arising from such sale the value

of such dower so fixed and determined; provided, further, the person or persons owning such lands or lots so charged may, at the time the order for the sale of said lands is made as aforesaid, elect to pay to such widow or widower the value of said dower; and if such payment be made within ten days or such further reasonable time as the court may grant not exceeding ninety days from such election, the court shall make a decree divesting such widow or widower of any interest by way of dower in said lands.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed March 22, 1892.
105G

[House Bill No. 401.]

AN ACT

To amend section 4213, Revised Statutes.

Animals:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 4213 of the Revised Statutes of the state of Ohio be amended so as to read as follows:

Liability of owner or harborer of dog for killing or injuring sheep.

Order to kill dog.

Sec. 4213. The owner, owners or harborer of an animal of the dog kind that kills, worries, or injures any sheep, lamb, goat or kid shall be jointly and severely [severally] liable to any person so damaged, to the full amount of the injury done; and the court or justice before whom a recovery is had for any such injury, shall declare the animal found to have occasioned the injury to be a common nuisance, and order the defendant to kill or cause to be killed such animal within twenty-four hours after the rendition of the judgment.

Repeals, etc.

SECTION 2. That section 4213 be and the same is hereby repealed, and this act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed March 22, 1892.
106G

[House Bill No. 480.]

AN ACT

To amend section 1496 of the Revised Statutes of Ohio.

Officers of civil townships:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 1496 of the Revised Statutes be amended so as to read as follows:

Sec. 1496. When it has been ascertained by the trustees of a city or township that any pauper therein has a legal settlement in some other county of this state, they shall immediately notify the directors of the infirmary of the county in which such pauper is found, and said directors shall immediately, should the pauper's health permit, remove said pauper to the infirmary of the county where his or her legal settlement is, which county shall pay all expenses of such removal and the necessary charges for relief; provided, a written notice is given to the infirmary directors of said county within twenty days after such legal settlement has been ascertained, and upon refusal or failure to pay therefor, may be compelled so to do by a civil action by the board of infirmary directors of the county from whence the removal is made, against the board of infirmary directors of the county to which such pauper is removed, in the court of common pleas of the county to which such pauper is removed; but if such notice shall not be given within twenty days after the directors first named are advised of such pauper's residence, and within ninety days after the relief for which charges are made has been afforded such pauper, then in that case the directors of the infirmary where such pauper belongs shall not be liable for any charges or expenditures whatever accruing prior to said notice.

Removal of foreign paupers to their own county.

Costs.

Notice to foreign directors.

Failure to give notice.

SECTION 2. Said original section 1496 is hereby repealed.

Repeals.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.

ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed March 22, 1892.
107G

[House Bill No. 348.]

AN ACT

To supplement supplementary section 2573*a* of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That supplementary section 2573*a* of the Revised Statutes, as amended April 29, 1885, be supplemented by an additional section, as follows:

Workshops and factories:

Sec. 2573*a*—2. That authority be and is hereby given to appoint eight additional district inspectors; and they shall be appointed in the same manner and possess the same qualifications, and whose term of office shall be the same and on the same conditions, and receive the same compensation as the three district inspectors authorized by said section 2573*a*, including sections two and three thereof. The chief inspector may assign said additional inspectors for service in the pres-

Additional district inspectors: appointment; qualifications; term; compensation.

Assignment for service.

ent districts, or change and make new and smaller districts, and make such assignments of all the district inspectors as the good of the service may require.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 23, 1892.
108G

[House Bill No. 30.]

AN ACT

To authorize cities of the first grade of the first class to contract for a period of ten years for the removal and disposition of vegetable garbage, dead animals and animal offal from such cities.

Contracts for removal of vegetable garbage, dead animals and animal offal (Cincinnati).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That cities of the first grade of the first class be and they are hereby authorized to make contracts for periods not exceeding ten years for the removal and disposition of vegetable garbage, dead animals and animal offal, separately or together, as the board of legislation of such city may deem best; and the boards of legislation of such cities are hereby authorized to make such contracts, after advertising for thirty days for bids for the removal and disposition of such vegetable or animal matter; provided, that the foregoing provision as to advertising for bids shall not apply to such cities where advertising for bids has already been had for such a period of time; and provided further, that sections 2699 and 2702 as to the certificate of the auditor, and the fact that money is in the treasury, shall not apply to contracts made hereunder.

Advertisement for bids.

Restrictions inapplicable.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 23, 1892.
109G

[House Bill No. 214.]

AN ACT

To amend section 7006 of the Revised Statutes of Ohio.

Offenses against public policy:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 7006 of the Revised Statutes of Ohio be amended so as to read as follows:

Sec. 7006. Whoever exhibits or shows any natural or artificial curiosity for any price or gain, or sets up to let or use for profit any swing, revolving swing, flying horses, whirligigs or other device, or whoever establishes a temporary place of business for the sale of any article whatsoever, or offers for sale any such article except as a regularly established dealer in such article at his usual place of business, within one-fourth of a mile of the fair ground of any agricultural society, while the fair of such society is being held therein, unless he has obtained the written permission of the board of such society, shall be fined not more than one hundred dollars nor less than one dollar.

Exhibitions and temporary business at fairs prohibited; penalty.

SECTION 2. That said original section 7006 be and the same is hereby repealed.

Repeals.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 23, 1892.
110G

[House Bill No. 271.]

AN ACT

To amend section 6145 of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 6145 of the Revised Statutes of Ohio, be amended so as to read as follows:

Executors and administrators:

Sec. 6145. The probate court or court of common pleas, in which such action may be pending, shall have full power to determine the equities between the parties and the priorities of lien of the several lien-holders on said real estate, and to order a distribution of the money arising from the sale of such real estate, according to the respective equities and priorities of lien as found by the court. When said action is determined by the probate court, the judge thereof shall make the necessary order for an entry of release and satisfaction of all mortgages and other liens upon said real estate, and shall enter such release and satisfaction, together with a memorandum of the title of the case, the character of the proceedings and the volume and page of record, where recorded, upon the record of such mortgage or other lien in the recorder's office where the same are recorded; and he shall tax in his cost bill the fee provided by law for the recorder for entering such release and satisfaction, and also a fee of twenty-five cents to himself for such entry. This section shall apply to proceedings by guardians to sell lands to pay debts.

Courts to determine priorities of liens on real estate, etc.

Proceedings when action determined by probate court.

Fees.

Sale by guardians to pay debts.

SECTION 2. That said original section 6145 be and the same is hereby repealed.

Repeals.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 23, 1892.
111G

[House Bill No. 311.]

AN ACT

To provide for a police court in cities of the second grade of the second class, and to supplement sections 1785, 1797 and 1744 of the Revised Statutes of Ohio.

Police court:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following sections be enacted as supplementary to section 1785 of the Revised Statutes of Ohio:

Dayton police court.

Sec. 1785*c*. In cities of the second grade of the second class there shall be a court held by the police judge, which court shall be styled the police court, and be a court of record. The provisions of the Revised Statutes and the amendments thereto relating to police courts and the officers thereof, not inconsistent with this act, are hereby made applicable to police courts and the officers thereof in cities of the second grade of the second class.

Laws governing.

Election and term of judge and clerk.

Sec. 1785*d*. In such cities of the second grade of the second class there shall be chosen by the electors, at the first annual municipal election after the passage of this act, a police judge, who shall serve for the term of three years and until his successor is elected or appointed and qualified; and a clerk of the police court, who shall serve for the term of three years and until his successor is elected or appointed and qualified; and thereafter, as the terms of such officers expire, their successors shall in like manner be elected to serve for the terms provided above, respectively, for such officers. Vacancies in the office of police judge shall be filled by the governor for the unexpired term. Vacancies in the office of clerk of the police court shall be filled by the mayor for the unexpired term. A prosecuting attorney of the police court shall be appointed by the board of police directors of such city within three days after the first election and qualification of the police judge provided for herein. The prosecuting attorney shall serve for the term of three years and until his successor is elected or appointed and qualified, and thereafter, as the term of such officer expires, his successor shall in like manner be appointed by such board of police directors to serve for a like term. Vacancies shall be filled by such board of police directors for the unexpired term. The clerk and the prosecuting attorney shall receive no fees or perquisites, but the clerk shall receive an annual salary of twelve hundred dol-

Vacancies.

Appointment and term of prosecuting attorney.

Vacancies.

Salary of clerk and prosecuting attorney.

lars, and the prosecuting attorney shall receive an annual salary of fifteen hundred dollars, both payable monthly out of the city treasury.

SECTION 2. That the following section be enacted as supplementary to section 1797 of the Revised Statutes of Ohio:

Sec. 1797*a*. In cities of the second grade of the second class, the judge of the police court shall receive no fees or perquisites, but shall receive an annual salary of two thousand dollars, payable monthly out of the city treasury, and nothing in this section shall prohibit such police judge from receiving the fees for taking the acknowledgment of instruments, depositions and affidavits which are allowed to justices of the peace for like services.

Salary of judge in Dayton.

Fees.

SECTION 3. That the following section be enacted as supplementary to section 1744 of the Revised Statutes of Ohio:

Sec. 1744*a*. That in cities of the second grade of the second class the powers and jurisdiction of the mayor, as provided in section 1744, Revised Statutes, shall be performed, enforced and exercised by the police judge herein provided for. And the mayor in such cities shall receive an annual salary of four hundred dollars, payable quarterly, from the city treasury; and in such cities of the second grade of the second class, the office of clerk of the mayor's court is hereby abolished.

Powers and jurisdiction of police judge in Dayton.

Salary of mayor.

Office of clerk of mayor's court abolished.

SECTION 4. This act shall take effect and be in force from and after the second day of April, A. D. 1892.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.

ANDREW L. HARRIS,
President of the Senate.

Passed March 23, 1892.
112G

[House Bill No. 502]

AN ACT

To authorize the council of any incorporated village which had a population at the last federal census of not more than 2,540 nor less than 2,525, or at any succeeding federal census may have a population of not more than 2,540 nor less than 2,525, to issue and sell bonds for street improvements.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of any incorporated village which had at the last federal census a population of not more than 2,540 nor less than 2,525, or at any succeeding federal census may have a population of not more than 2,540 nor less than 2,525, be, and the said council is hereby authorized to borrow a sum of money, not to exceed twenty thousand dollars, for the purpose of making permanent street improvements in said village, and

Street improvement bonds (Berea).

for the purpose of making such loans, said council be, and hereby is authorized, to issue the bonds of said village in such denominations, and payable at such times, as said council may determine.

Interest; sale; attestation; authentication; record.

SECTION 2. Said bonds shall bear interest at a rate not to exceed six per cent. per annum, payable semi-annually, and shall not be sold for less than the par value thereof. They shall be signed by the mayor of said village, and countersigned by the village clerk, and shall be authenticated by the seal thereof, and a complete record of the same shall be kept by the clerk.

When to be issued and sold; how proceeds to be used.

SECTION 3. Said bonds shall be issued and sold from time to time, as may be required to meet the actual costs, and expense of the work, and improvements herein provided for, and all money arising from the sale of said bonds, shall be used exclusively for said purposes.

Levy of tax.

SECTION 4. Said bonds shall be issued and sold in anticipation of the levy of a tax, on all the taxable property of said village, to be levied by the council thereof, each year during the time said bonds have to run, the tax so levied to form a separate fund to be known as "the street improvement fund;" said fund shall be used exclusively for the payment of said bonds and the interest thereon.

Street improvement fund.

Special or general election.

SECTION 5. Before issuing any of said bonds, the council shall submit the question of issuing the same, to the qualified electors of said village, at some special or general election, as the council may, by resolution determine, and in either case giving notice thereof, at least ten days previous thereto, by publication in two newspapers published and of general circulation in said village. The tickets shall have printed or written thereon the words "Issue of bonds for street improvements —Yes;" "Issue of bonds for street improvements—No." If a majority of those voting, on said proposition, shall be in favor of issuing said bonds, then, and then only, shall said council issue said bonds, as hereinbefore provided.

Notice.

Ballots.

Condition of issue.

SECTION 6. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 23, 1892.
113G

[House Bill No. 516.]

AN ACT

To amend section 1831 of the Revised Statutes.

Police power of mayor, etc.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 1831 of the Revised Statutes of the state of Ohio be amended so as to read as follows:

Police justice: appointment; term; jurisdiction; powers; duties, etc.

Sec. 1831. In villages the council may, upon the recommendation of the mayor, by a vote of all the members elected, appoint some justice of the peace, resident of the corporation, police justice, who shall, during the term of office of such mayor, unless removed on suggestion of such mayor by a vote of all the members of the council, have concurrent jurisdiction of all prosecutions for violations of ordinances of the corporation, with full power to hear and determine the same, and shall have the same powers, perform the same duties, and be subject to the same responsibilities in all such cases as are prescribed in the preceding sections, to be performed by and are conferred on the mayors of such corporations.

Repeals.

SECTION 2. That section 1831 is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 23, 1892.
114G

[House Bill No. 612.]

AN ACT

To authorize the council of any incorporated village in the state of Ohio, which contained at the federal census of 1890, or which at any subsequent federal census may contain a population of not less than two thousand and seventy-three nor more than two thousand and eighty-three, to issue bonds and levy a tax for the payment of the same and the interest thereon, for the purchase and erection of an electric light plant.

Electric light plant (Medina).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of any incorporated village in the state of Ohio, which at the federal census of 1890 contained, or which at any subsequent federal census may contain a population of not less than two thousand and seventy-three nor more than two thousand and eighty-three, be and is hereby authorized to borrow not to exceed eighteen thousand dollars ($18,000), to be applied to the purchase and erection of an electric light plant, for said village, together with dynamo, wire, poles, and the appurtenances thereto belonging, and materials necessary for the successful operation of the same.

Issue and sale of bonds, etc.

SECTION 2. That for the purpose of meeting the expenses aforesaid, the council of any such village is authorized to issue bonds, to be signed by the mayor and attested by the clerk of such village, in denominations of not less than five hundred dollars ($500), nor more than one thousand dollars ($1,000), bearing interest at a rate not to exceed six per cent. per annum, payable semi-annually; said bonds to be payable at such time or times, not exceeding twenty years from the respective dates thereof, and place or places, as said council may determine, which said bonds shall not be sold for less than their par

value, and said bonds may in the discretion of the council have interest coupons attached.

Levy of tax.

SECTION 3. That for the purpose of paying said bonds and the interest thereon, as the same shall become due, the said council is hereby authorized and empowered to levy on all the taxable property of such village a tax for such amount annually not exceeding two mills above the maximum it is now authorized to levy by law, which levy shall be placed on the duplicate by the auditor of the county, collected as other taxes, and when collected paid over to the treasurer of such village.

Regular or special election.

SECTION 4. That before such bonds shall be issued or tax levied the question of issuing said bonds and levying said tax shall be submitted to the qualified voters of such village at a regular municipal or general election, or at a special election called for that purpose, of which ten days' notice shall be given in two newspapers printed and in general circulation in such village, designating the amount of bonds proposed to be issued and the purpose for which issued. Those voting in favor of the issue of said bonds shall have written or printed on their ballots the words "Electric light plant—Yes;" and those against the same "Electric [light] plant—No;" and if a majority of all the votes cast at said election shall be in favor of issuing such bonds, then the council of such village shall have authority at any time thereafter to issue and sell said bonds as herein provided.

Notice.

Ballots.

Condition of issue and sale.

SECTION 5 This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 23, 1892.
115G

[Senate Bill No. 85.]

AN ACT

To amend section 6951 of the Revised Statutes of Ohio, as amended April 15, 1881 (78 v., 134).

Offenses against public policy:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 6951 of the Revised Statutes, be and the same is hereby so amended as to read as follows:

Cruelty to animals.

Sec. 6951. Whoever overdrives, overloads, tortures, deprives of necessary sustenance, or unnecessarily or cruelly beats, or needlessly mutilates or kills any animal, or impounds or confines any animal in any place and fails to supply the same during such confinement with a sufficient quantity of good, wholesome food and water, or carries in or upon any vehicle, or otherwise, any animal in a cruel or inhuman manner, or who keeps cows or other animals in any inclosure without wholesome exercise and change of air, or feeds cows

on food that produces impure or unwholesome milk, or abandons to die any maimed, sick, infirm or diseased animal, or, being a person or corporation engaged in transporting live stock, detains such stock in railroad cars, or in compartments for a longer continuous period than twenty-four hours after the same are so placed, either within or beyond this state, without supplying the same with necessary food, water and attention, or permits such stock to be so crowded together as to overlie, crush, wound or kill each other, shall be fined not more than two hundred nor less than five dollars, or imprisoned not more than sixty days or both; provided, that nothing herein contained shall be construed to prevent the dehorning of cattle, and that all fines collected for violations of this section shall be paid to the society or association for the prevention of cruelty to animals, if any [such] society or association is organized in such township, village or city where such violation occurred.

Penalty.

Dehorning of cattle.

Disposition of fines collected.

SECTION 2. That said section 6951 of [the] Revised Statutes, as amended April 15, 1891 [1881], be and the same is hereby repealed.

Repeals.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 24, 1892.
116G

[Senate Bill No. 93.]

AN ACT

To amend section 6968*a* (1) of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 6968*a* (1) of the Revised Statutes of Ohio be amended to read as follows:

Offenses against public policy:

Sec. 6968*a* (1). Whoever in the waters of any brook, creek, river, pond, reservoir, mill-race, tail-race, or in any body of water, natural or artificial, lying in the state of Ohio, during the spawning season of brook trout, or land-locked salmon, or California salmon, which season is hereby defined to extend from the 15th day of September in each year to the 14th day of March, inclusive, in the year following, shall catch in any manner with intent to kill or offer for sale any brook trout, land-locked salmon, or California salmon, shall be punished by the same penalties fixed in section 6968 for the misdemeanors therein defined.

Penalty for catching certain fish in spawning season.

SECTION 2. That said original section 6968*a* (1), as amended April 1, 1884, be and the same is hereby repealed.

Repeals.

SECTION 3 This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 24, 1892.
117G

[Senate Bill No. 21.]

AN ACT

To amend section 3959 of the Revised Statutes of Ohio, as amended April 21, 1890 (87 O. L., 240).

School funds:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 3959 of the Revised Statutes of Ohio, as amended April 21, 1890, be and the same is hereby amended so as to read as follows:

Maximum of levy.

Sec. 3959. Such estimate and levy shall not exceed, in cities of the first grade of the first class, three and one-fourth mills; provided, however, that boards of education in said cities may levy one mill additional for every five thousand pupils over and above twenty-five thousand enrolled in the public schools of said cities, which levy, however, shall in no case exceed four mills; and in all other districts, except those hereinafter named, such estimate and levy shall not exceed seven mills on each dollar of valuation of taxable property; provided, however, that in counties containing a city of the first grade of the first class, in districts outside such city in which a high school is maintained, and in all special and village districts of any county in the state, such estimate and levy shall not exceed eight mills on each dollar of valuation of taxable property.

Repeals.

SECTION 2. That said section 3959 of the Revised Statutes of Ohio, as amended April 21, 1890, be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 24, 1892.
118G

[Senate Bill No. 77.]

AN ACT

To supplement section 5242 of the Revised Statutes of Ohio.

Competency of testimony:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 5242 of the Revised Statutes be sup-

plemented by a supplementary section additional to section 5242, passed April 16th, 1885, vol. 82, p. 125, Smith & Benedict Rev. Stat., 1890, with sectional numbering as follows:

When oral testimony of a party or witness who fails to appear on further trial of a case may be proven.

Sec. 5242*a*. Whenever a party or a witness, after testifying orally, die, or is beyond the jurisdiction of the court, or can not be found after diligent search, or is insane, or through any physical or mental infirmity is unable to testify, or has been summoned, but appears to have been kept away by the adverse party, if the evidence given by such party or witness has been or shall be incorporated into a bill of exceptions in the case wherein such evidence was given, as being all the evidence given by such party or witness, and which bill of exceptions shall have been duly signed by the judge or court before whom such evidence was given, the evidence so incorporated into such bill of exceptions may be read in evidence by either party on a further trial of the case, and in case no bill of exceptions has been taken or signed as aforesaid, but the evidence of such party or witness has been taken down by any competent official stenographer, the evidence so taken by such stenographer, may be read in evidence by either party on the further trial of the case, and shall be deemed and taken as prima facie evidence of what such deceased party or witness testified to orally on the former trial, or if such evidence has not been taken by such a stenographer, the same may be proven by witnesses who were present at the former trial, having knowledge of such testimony. All testimony thus offered shall be open to all objections which might be taken, if the witness were personally present.

Pending actions, etc.

SECTION 2. This act shall take effect and be in force from and after its passage, and shall apply to all actions now pending in any of the courts of this state.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 24, 1892.
119G

[Senate Bill No. 101.]

AN ACT

Authorizing certain cities to issue bonds for the purpose of equipping and maintaining hose-houses.

Equipment and maintenance of hose-houses (Canton).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in any city which at the federal census of 1890 had, or which at any subsequent federal census may have, a population of not less than 26,000, and not more than 27,000 inhabitants, the city council may, by resolution passed by a majority of all of the members elected thereto, declare it to be essential to the interest of said city, for the purpose of providing a more efficient fire protection, that any or all of the

hose-houses not equipped and in use in such cities, shall be so equipped, used and maintained at the expense of such city. That thereupon it shall be lawful for the council of such city to borrow, and they are hereby authorized to borrow, as a fund for the purchase of such equipments and for the maintenance of such hose-house, an amount not exceeding twelve thousand dollars ($12,000.00), and to issue bonds therefor in the name of said city, bearing interest at a rate not to exceed six per cent. per annum, payable semi-annually; said bonds shall be sold at not less than par, and shall be issued in denominations not less than five hundred and not exceeding one thousand dollars, and be payable at such place, and at such time or times, not exceeding ten years from their respective dates, as the council may determine.

Fund for such purpose.

Issue and sale of bonds.

Additional tax levy.

SECTION 2. That for the purpose of paying such bonds and the interest thereon as the same shall become due, the council of such city is hereby authorized and empowered to levy on all the taxable property of said city, in addition to other taxes authorized by law, an annual tax, which shall in no single year exceed two-tenths of one mill, which levy shall be placed upon the tax duplicate by the auditor of the county, collected as other taxes, and when collected paid over to the treasurer of the corporation, to be used and applied to no other purpose than that hereinbefore stated and set forth.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 24, 1892.
120G

[Senate Bill No. 102.]

AN ACT

Authorizing certain cities to issue bonds for the purpose of introducing and establishing equipments for the rapid transportation of police and lines of police telegraph.

Equipments for rapid transportation of police and lines of police telegraph (Akron and Canton).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That in any city which at the federal census of 1890 had, or which at any subsequent federal census may have, a population of not less than twenty-six thousand (26,000), and not more than thirty thousand (30,000), the city council may, by resolution passed by a majority of all the members elected thereto, declare it to be essential to the interests of said city, for the purpose of providing a more efficient police service, that equipments for the rapid transportation of police, or lines of police telegraph, or both, be introduced and established by and at the expense of such city. That thereupon it shall be lawful for the council of such city to borrow, and they are hereby authorized to borrow, as a fund

Fund for such purpose.

for the purchase of such equipments for the rapid transportation of police or the construction of lines of police telegraph, or both, as said council may by said resolution declare necessary, an amount not exceeding seven thousand dollars ($7,000.00), and to issue bonds therefor in the name of said city, bearing interest at a rate not to exceed six per centum (6 per cent.) per annum, payable semi-annually; said bonds shall be sold at not less than par and shall be issued in denominations not less than five hundred dollars ($500.00) and not exceeding one thousand dollars ($1,000.00), and be payable at such place and at such time or times not exceeding ten (10) years from their respective dates as the council may determine.

Issue and sale of bonds.

SECTION 2. That for the purpose of paying such bonds and the interest thereon as the same shall become due, the council of such city is hereby authorized and empowered to levy on all the taxable property of such city, in addition to other taxes authorized by law, an annual tax which shall in no single year exceed two-tenths of one mill (.0002), which levy shall be placed upon the tax duplicate by the auditor of the county, collected as other taxes, and when collected paid over to the treasurer of the corporation to be used and applied to no other purpose than that hereinbefore stated and set forth.

Additional tax levy.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 24, 1892.
121G

[Senate Bill No. 104.]

AN ACT

To authorize any village of the state of Ohio which at the last federal census had, or which at any subsequent federal census may have, a population of not less than 860 nor more than 870, to borrow money and issue its bonds therefor for the purpose of acquiring lands and sinking wells thereon for natural gas, purchasing and laying pipes and lighting the public streets, alleys and grounds therein, and for lighting and heating the public halls, offices and rooms and buildings in said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That any village of the state of Ohio which at the last federal census had, or which at any subsequent federal census may have, a population of not less than 860 nor more than 870, be and it is hereby authorized to issue its bonds for an amount not exceeding five thousand dollars for the purpose of leasing or purchasing the necessary gas lands, sinking wells thereon for natural gas, purchasing and lay-

Natural gas plant bonds (Malta).

ing pipes to supply lights to the public streets and places therein, and for lighting and heating the public halls, offices and rooms of said village.

Issue and sale.

SECTION 2. Such bonds shall be issued by the council of said village in denominations not less than one hundred dollars nor more than five hundred dollars, payable at such time not exceeding twenty years as the council shall provide, with interest not exceeding six per cent., payable semi-annually, at such place as the said council may determine. They shall express upon their face the purpose for which and the act under which issued, and shall be signed by the mayor and countersigned by the clerk of said village, and shall not be sold for less than their par value.

Levy of tax.

SECTION 3. The council of the said village is authorized and required to levy a tax annually on the taxable property of the said village, in such amount as will each year be sufficient to pay the principal and interest on the said bonds as they may become due and payable by the terms thereof.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 24, 1892.
122G

[Senate Bill No. 105.]

AN ACT

To authorize any village of the state of Ohio which at the last federal census had or which at any subsequent federal census may have a population of not less than 1,770 nor more than 1,780, to borrow money and issue its bonds therefor, for the purpose of acquiring lands and sinking wells thereon for natural gas; purchasing and laying pipes and lighting the public streets, alleys and grounds therein, and for lighting and heating public halls, offices and rooms and buildings in said village.

Natural gas plant bonds (McConnelsville).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That any village of the state of Ohio which at the last federal census had or which at any subsequent federal census may have a population of not less than 1,770 nor more than 1,780, be and it is hereby authorized to issue its bonds for an amount not exceeding five thousand dollars, for the purpose of leasing or purchasing the necessary gas lands, sinking wells thereon for natural gas, purchasing and laying pipes to supply lights to the public streets and places therein, and for lighting and heating the public halls, offices and rooms of said village.

Issue and sale.

SECTION 2. Such bonds shall be issued by the council of said village in denominations not less than one hundred dollars nor more than five hundred dollars, payable at such time, not exceeding twenty years, as the council shall provide, with

interest not exceeding six per cent., payable semi-annually, at such place as the said council may determine; they shall express upon their face the purpose for which and the act under which issued, and shall be signed by the mayor and countersigned by the clerk of said village, and shall not be sold for less than their par value.

Levy of tax.

SECTION 3. The council of the said village is authorized and required to levy a tax, annually, on the taxable property of said village in such amount as will each year be sufficient to pay principal and interest on the said bonds as they may become due and payable by the terms thereof.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 24, 1892.
123G

[Senate Bill No. 106.]

AN ACT

To amend section 3987 (1) of the Revised Statutes of Ohio, passed January 31st, 1889 (86 O. L., p. 11).

School-houses:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section three thousand nine hundred and eighty-seven (1) be amended so as to read as follows:

Regulating use of school-houses.

Sec. 3987 (1). That when in the judgment of any board of education it will be for the advantage of the children residing in any school district to hold literary societies, school exhibitions, singing schools, religious exercises, select or normal schools, the board of education shall authorize the opening of such school-houses for the purposes aforesaid; provided, however, that nothing herein contained shall be construed to authorize any board of education to rent or lease any school-house when such rental or lease will in any wise interfere with the public schools in any such district, or for any purpose other than such as is authorized by this act.

Repeals.

SECTION 2. That section 3987 (1) of the Revised Statutes of Ohio, passed January 31, 1889 (v. 86, Ohio laws, p. 11), be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 24, 1892.
124G

[House Bill No. 148.]

AN ACT

To amend sections 5227 and 5228 of the Revised Statutes of Ohio.

Trial on appeal:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 5227 and 5228 of the Revised Statutes of Ohio be and the same are hereby amended as follows:

Notice of appeal to circuit court, and undertaking therefor.

Sec. 5227. A party desiring to appeal his cause to the circuit court shall, within three days after the judgment or order is entered, enter on the records notice of such intention, and within thirty days after the entering of such judgment or order upon the journal of the court, give an undertaking with sufficient surety, to be approved by the clerk of the court or a judge thereof, as hereinafter provided.

Who not required to give undertaking.

Transmission of transcript, papers and pleadings to clerk of circuit court.

Sec. 5228. A party in any trust capacity, who has given bond in this state with sureties according to law, shall not be required to give bond and security to perfect an appeal; and in such case, the clerk of the common pleas court, at the expiration of thirty days from the entering of such judgment or order upon the journal of the court, shall, if not otherwise directed, make a transcript, which together with the papers and pleadings filed in the cause he shall transmit to the clerk of the circuit court as in other cases of appeal.

Repeals.

SECTION 2. That section 5227 and section 5228 be and the same are hereby repealed upon the taking effect of this act.

SECTION 3. This act shall take effect and be in force from and after August first, 1892.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 28, 1892.
125G

[House Bill No. 149.]

AN ACT

To amend section 6162 of the Revised Statutes of Ohio, as amended February 18, 1891.

Executors and administrators:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section six thousand one hundred and sixty-two (6162) of the Revised Statutes of Ohio, as amended February 18, 1891, [to] be amended so as to read as follows:

Return of sale to court; confirmation; order for deed.

Sec. 6162. The executor or administrator shall make return of his proceedings under the order of sale; and the court, after having carefully examined such return, and being satisfied that the sale has in all respects been legally made, shall confirm the sale, and order the executor or administrator to make a deed to the purchaser; and may, in the order, require that before the delivery of such deed the deferred

Deferred payments.

installments of the purchase money shall be secured by mortgage. Provided, that if after such sale is made, the purchaser offers to pay the full amount of the purchase money in cash, the court may order that the same shall be accepted if for the best interest of the estate, and direct its distribution; and the court may direct the sale, without recourse, of all or any of the notes taken for deferred payments, if for the best interest of the estate, at not less than their face value with accrued interest, and direct distribution of the proceeds.

Acceptance and distribution of cash.

Sale of notes and distribution of proceeds.

SECTION 2. That section 6162, as amended February 18, 1891, be and the same is hereby repealed.

Repeals.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 28, 1892.
126G

[House Bill No. 341.]

AN ACT

To amend section 4567*c* of the Revised Statutes of Ohio, as amended April 11, 1884 (O. L., vol. 81, p. 135), to clean out watercourses.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section forty-five hundred and sixty-seven *c* (4567*c*) of the Revised Statutes be amended so as to read as follows:

Removal of drift:

Sec. 4567*c*. If the commissioners find that the bond has been filed and notice given, they shall proceed to hear and determine the petition and shall proceed to view the premises along the proposed improvement, and the lands of the petitioners and others affected by said mill-dam or mill-dams, and if they find that such improvement and removal of said mill-dam or mill-dams will be conducive to the public health, convenience or welfare, they shall report their findings in writing and order the auditor to enter the same on the journal, and they shall at once proceed to negotiate with the owner or owners for the purchase of such mill-dam or mill-dams of all rights, title and interest they may have to or in the same, and all franchises pertaining thereto, receiving thereby in writing the terms and conditions on which said owner will grant the absolute right to remove the same and for the free passage of water in the channel of such stream. Said commissioners shall fix a day for further hearing, and order that due notice be served in writing by the principal petitioners upon each and every one of said petitioners or any other person or persons interested in the said improvement or the removal of such mill-dam or mill-dams of the time and place of said hearing. If on said hearing it appears to the commissioners that the notice herein provided for has not been given,

Hearing and determination of petition for removal of mill dam; view of lands affected.

Report and record of findings.

Negotiations for purchase and removal.

Day for further hearing; notice to persons interested.

Adjournment to future time; order for

notice to be given.

Day for final hearing; meeting; statement of costs of purchase and removal.

Record.

Apportionment of costs according to benefits.

Proceedings upon failure to agree with owner, or when petitioner objects.

When lands affected in two or more counties.

When mill-dam and water-rights and privileges deemed abandoned, and right thereto barred.

Removal of such mill-dam; cleaning out of water-course.

Assessment of costs upon real estate benefited.

the commissioners shall adjourn to some future time, not exceeding twenty days, and shall order such notice to be given. On the day fixed by the commissioners for final hearing they shall meet at the time and place appointed, and shall then and there state and make known to the petitioners the amount asked by the owner or owners of such mill-dam or mill-dams of all their right, title and interest to and in the same and the franchises pertaining thereto, and for the right to remove the same, so that the waters of such stream shall pass through without hindrance, and the necessary cost of removing said mill-dam or mill-dams, as estimated by said engineer or surveyor, together with all other taxable costs of the proceedings. And if upon such statement no objections be made thereto by said petitioners, or either of them, said commissioners shall make a record thereof. Said commissioners shall apportion to each of said petitioners and all other land owners benefited by the improvement, in a fair and equitable manner, according to the benefits to be derived therefrom, as nearly as can be done, all the costs of the proceedings, as in county ditch cases, the amount asked by the owner or owners of said mill-dam or mill dams and agreed upon as above, and the amount of cost necessary to the removal of said mill-dam or mill-dams, as reported by the surveyor or engineer. Upon failure to agree with the owner or owners of such mill-dam or mill-dams, or on having agreed, if upon such statement objections be made thereto by the petitioners, or either of them, then the proceedings as to appeals, applications for damages, and in all other respects shall be taken to determine the amount of damages to be awarded to land owners affected, as is provided in the statutes as to the location and establishment of county ditches; and if the lands affected are situated in two or more counties, the proceedings shall be governed by the provisions of the said ditch statutes. (But in any case where a mill has become useless or has been destroyed and has so remained for more than ten years, without any attempt to repair or rebuild the same, the mill-dam and water-rights and privileges belonging to the same shall be deemed abandoned, and the right thereto as against the public health, convenience and welfare, under this act shall cease and be barred; and the commissioners may, under this act, without bargain or compensation, cause such mill-dam to be removed and the watercourse upon which it is located cleaned out and improved, when an apportionment has been made as hereinbefore stated.) The commissioners shall then order the said amounts to be placed upon the tax duplicates, against the real estate of said petitioners, and all other land owners benefited by the removal of such dam, and to be collected within the time, and to meet the payments as far as practicable in conformity with the provisions of the county ditch law, whether agreed upon between said commissioners and said mill-dam owner or owners, or fixed by the commissioners or otherwise in pursuance to the provisions of the laws relating to county ditches, adding to the first year's assessment the taxable costs of the proceedings and the estimated costs of removing said mill-dam or mill-dams.

Said assessment shall be collected the same as other assessments against real estate and paid into the treasury out of the county wherein said petitioners reside, and wherein said mill-dam or mill-dams are situated, and shall be paid out by the county treasurer on the warrant of the county auditor, who shall issue his warrants in accordance with the records and orders of the county commissioners. The surveyor or engineer appointed by the commissioners shall sell at public outcry the work of removing such mill-dam or mill-dams, and supervise the same as stated in sections forty-four hundred and seventy-five, forty-four hundred and seventy-seven and forty-four hundred and seventy-eight of the Revised Statutes of Ohio.

Collection and disbursement of assessments.

Sale and supervision of work.

SECTION 2. That the said section 4567*c*, as amended April 11, 1884, be and the same is hereby repealed.

Repeals.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 28, 1892.
127G

[House Bill No. 449.]

AN ACT

To amend section 15 of an act entitled "An act to authorize the improvement of public roads in certain townships by the township trustees thereof," passed April 28, 1891 (O. L. of 1891).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 15 of an act entitled "An act to authorize the improvement of public roads in certain townships by the township trustees thereof," passed April 28, 1891, be amended to read as follows:

Improvement of public roads (Crane township, Wyandot county).

Sec. 15. Before entering upon the improvement of any roads under the provisions of this act, the trustees of any such township shall employ some competent engineer, who shall be known as superintendent of improved roads, who shall be paid not more than four dollars per day for the time actually employed, out of the funds raised for the improvement of roads. He shall, before entering upon his duties, take and subscribe an oath or affirmation to faithfully and honestly discharge his duties, and shall give bond in the sum of five thousand dollars, payable to the trustees for the use and benefit of such township, conditioned that he will faithfully and honestly discharge his duties, all and singular, as superintendent of improved roads of such township; and the trustees shall receive two dollars ($2.00) per day for the time actually employed under the provisions of this act; and they shall allow the township clerk a reasonable compensation for the extra labor involved under the provisions of this act.

Superintendent of improved roads: employment and compensation of.

Oath.

Bond.

Compensation of township trustees and clerk.

Repeals, etc.

SECTION 2. That said original section 15 be and the same is hereby repealed, and this act shall take effect from its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 28, 1892.
128G

[House Bill No. 556.]

AN ACT

To provide for an official stenographer for the second subdivision of the third judicial district of Ohio.

Official stenographer in second subdivision third judicial district: appointment; office; stationery; qualifications.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the judge of the court of common pleas of the second subdivision of the third judicial district of Ohio, composed of the counties of Williams, Defiance and Paulding, shall, within 30 days from and after the passage of this act, appoint for said counties an official stenographer, who shall be a resident of one of the said counties, and who shall have his or her office in the court-house of said respective counties, which said office and the necessary stationery for the use of said stenographer shall be furnished by the commissioners of said respective counties. Said stenographer shall not, during the term of his or her said office, as provided in section 2 of this act, be the partner, clerk, student or employe of any attorney residing or practicing in any of said counties.

Term.

SECTION 2. That such stenographer shall hold his or her office for the term of three years from and after the date of his or her appointment, and until his or her successor be appointed and qualified, unless sooner removed by the court for the neglect of duty, misconduct or incompetency. Such official stenographer shall, before entering upon the duties of said office, take an oath that he or she will faithfully discharge the duties of said office. Such stenographer shall receive a salary of eight hundred dollars ($800.00) per annum, payable quarterly out of the county treasuries of said counties of Williams, Defiance and Paulding, in proportions of one-third thereof to each of said counties, which salary shall be in lieu of all per diem fees in the circuit and common pleas courts of said counties; and it shall be the duty of the auditors of said counties to issue warrants on the treasurer for the payment of said salary, as herein provided, out of the general fund, upon presentation to him of a certified copy of the journal entry of the appointment of said official stenographer.

Oath.

Salary.

Stenographic notes.

SECTION 3. It shall be the duty of such stenographer, unless waived by the parties, to make or cause to be made accurate stenographic notes of the testimony of the witnesses, the charge of the court to the jury, all opinions rendered, and all such other oral proceedings as the court or the parties may direct

in all cases actually tried or heard in the circuit and common pleas courts; and the short-hand notes so taken shall be the property of the county and preserved in the office of such stenographer; provided, that if sessions of the common pleas and circuit courts in said district are holden on the same days, said stenographer shall give preference to the common pleas court, unless excused by the judge thereof. It shall also be the duty of such stenographer to make or cause to be made, at the request of either party, his attorneys, or the court, an accurate transcript into long-hand of the notes so taken in any case, or such portion thereof as may be requested, to be paid for forthwith by the party or parties ordering the same, and the cost of said transcript, if used on appeal or error, to be taxed in the cost and adjudged as the court may direct; but no transcript of the notes into long-hand shall be paid for out of the county treasury in any case, unless such transcript shall be ordered by the judge or judges trying the case for his or their own use, and in criminal cases by the prosecuting attorney. All such transcripts ordered by the judge or judges trying the case, and by the prosecuting attorney in criminal cases shall be paid for out of the county treasury, and the clerk of the court shall certify the amount of such transcripts, which certificate shall be a sufficient voucher to the auditor of the county, upon which he shall draw his warrant upon the county treasurer, and when so paid such fees shall be taxed and collected as other costs in the case. Such stenographer shall also, without extra charge or compensation, take from the dictation of the court such short-hand notes as may be required in preparing opinions and charges to juries.

Preference to be given common pleas court.

Transcripts.

Costs of.

Opinions and charges of court.

SECTION 4. Said stenographer shall receive for making such transcripts of said notes into long-hand, in addition to said salary, eight cents per folio of one hundred words, and when more than one such transcript shall be ordered at the same time, the fee for making such additional transcript or such portion thereof, shall be one-third the fee allowed for the first copy, and shall be paid for in the same manner. And in every case reported in said courts, there shall be taxed for each day's services of such stenographer a fee of four dollars, to be collected as other costs in the case, and when so collected, to be, by the clerk of the court, paid quarterly into the treasury of the county where earned.

Fees for making transcripts.

Additional costs for stenographer's services.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 29, 1892.
129G

[Senate Bill No. 75.]

AN ACT

To amend section 6342 of the Revised Statutes of Ohio.

Insolvent debtors:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 6342 of the Revised Statutes of Ohio be so amended as to read as follows:

Appointment and qualification of trustee to operate as a conveyance.

Sec. 6342. Whenever the court appoints a trustee to act in place of the assignee of the debtor, the appointment and qualification of the trustee so appointed shall operate as a conveyance of all the property originally assigned to said assignee.

Repeals.

SECTION 2. That said original section 6342 of the Revised Statutes be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,
Speaker pro tem. of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 29, 1892.
130G

[Senate Bill No. 157.]

AN ACT

To amend section 3 of an act passed April 25, 1891, entitled "An act to authorize boards of education in city districts of the first grade of the first class to issue bonds for the purpose of erecting additional school buildings.

Bonds for additional school buildings (Cincinnati).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 3 of an act passed April 25, 1891, entitled "An act to authorize boards of education in city districts of the first grade of the first class to issue bonds for the purpose of erecting additional school buildings," be and the same is hereby amended so as to read as follows:

Redemption of bonds and payment of interest.

Sec. 3. To provide for the redemption of said bonds and the payment of the interest thereon, said boards of education shall annually set aside as a sinking fund a sum equal to five per cent. of the amount of said bonds issued and unredeemed, together with the interest thereon; provided, however, that no additional levy shall be authorized for said purpose, but said bonds and the interest thereon shall be redeemed from the fund arising from the levy now allowed by law. And the trustees of the sinking fund of cities of the first grade of the first class are hereby made and constituted the trustees of the sinking fund of boards of education in city districts of the first grade of the first class; and it shall be the duty of said boards of education to turn over to said trustees of the sinking fund, annually, the amount above provided to be set aside as a sinking fund, together with the interest on said bonds; and it shall

Trustees of sinking fund of board of education.

Duty of board of education.

be the duty of the said trustees of the sinking fund to receive said sum and said interest and to pay therefrom the interest coupons on said bonds as they become due, and redeem the said bonds with the said sinking fund so turned over to them by the said boards of education, and said sinking fund trustees shall have power to invest said sums so turned over to them in the same manner that they are authorized by law to invest the funds of such cities; provided, however, that all interest earned by such investments of said fund shall be used solely for the purpose of redeeming such bonds issued by the said boards of education; and provided further, that it shall be the duty of said sinking fund trustees, from time to time, after ten years from the date of said bonds, to redeem so many of said bonds as the said sinking fund, together with whatever interest it may have earned, then in their hands, may be able to redeem, upon the passage of a resolution by the board of education requesting them so to do; and provided further, that in lieu of the annual cash payments for the sinking funds herein provided for, the said boards of education may surrender to the trustees of the sinking fund of cities of the first grade of the first class any of said bonds unissued by said boards of education, or any of said bonds redeemed by said boards of education, equivalent in par value to the said annual cash payments herein required, which bonds shall thereupon be canceled by said trustees, and that thereupon said boards of education shall pay to the said trustees of the said sinking funds annually the interest only on the bonds issued, outstanding and unredeemed; and provided further, that the trustees of the said sinking funds shall annually report to said boards of education, in writing, the condition of the funds hereby created and the bonds herein provided for.

Duties and powers of trustees of sinking fund, etc.

SECTION 2. Said section 3 of said act entitled "An act to authorize boards of education in city districts of the first grade of the first class to issue bonds for the purpose of erecting additional school buildings," as passed April 25, 1891, be and the same is hereby repealed; and this act shall take effect and be in force from and after its passage.

Repeals, etc.

ELVERTON J. CLAPP,
Speaker pro tem. of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 29, 1892.
131G

[Senate Bill No. 214.]

AN ACT

To amend section 2330*a* of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2330*a* of the Revised Statutes be amended so as to read as follows:

Assessments—sidewalks, etc.

Council of certain cities and villages may construct sidewalks, etc., and assess costs.

Sec. 2330*a*. In cities of the fourth grade, second class, and in villages in counties containing a city of the first grade, first class, whenever sidewalks, curbing or gutter are to be constructed pursuant to a resolution of council, under section 2329 of the Revised Statutes, the council may construct such walk or part or parts of walk, curbing or gutter, and assess the cost and expense of constructing such sidewalk, curbing or gutter, or part or parts thereof upon the abutting property, which, however, shall be exempted from the penalty provided in section 2330 of the Revised Statutes; and to carry out such purpose the council is hereby authorized to issue the bonds of such city or village, in denominations not to exceed one thousand dollars each, to be payable in not less than one nor more than ten years' issue, and shall bear interest at a rate not to exceed six per cent. per annum, interest payable semi-annually, which bonds shall be sold for not less than their par value, and the proceeds arising from such sales to be applied to the cost of such improvements and the cost of issuing such bonds and the payment of interest thereon, and to no other purpose; provided, that the council may use the bonds at their par value in payment of contractors without advertising for their sale. The assessments upon the abutting property shall be in such amounts as will be sufficient to provide for the payment of such bonds, and the interest due thereon as the same mature, and such assessments shall be certified by the clerk of such city or village to the auditor of the county in which such city or village is situated, and placed upon the duplicate, and shall be a lien upon the property so assessed. Whenever the council shall determine to improve the sidewalks, curbing or gutter of any street, streets or portion of streets in accordance herewith, they shall advertise for bids in some paper published or of general circulation in the city or village where such work is to be done, and all such bids shall designate the material and kind and quality of material proposed to be used; and all bids must be on file with the clerk of said city or village for ten days before the contract shall be awarded, and any property owner may elect whether he or she desires to pay cash for the same or have it placed on the tax duplicate as herein provided. If any person electing to pay cash shall fail to do so within thirty days after the completion of the work, it shall be the duty of the clerk to certify the amount to the auditor as herein provided. The council may reject any and all bids.

Exemption from penalty.

Bonds.

Assessments.

Bids.

Property owner may elect to pay cash, etc.

Failure to pay, etc.

Rejection of bids.

Repeals.

SECTION 2. Said original section 2330*a* is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,
Speaker pro tem. of the House of Representatives.

ANDREW L. HARRIS,
President of the Senate.

Passed March 29, 1892.

132G

[Senate Bill No. 215.]

AN ACT

To amend section 2333, Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2333 of the Revised Statutes be amended so as to read: Assessments—sidewalks, etc.:

Sec. 2333. Nothing in this chapter shall be so construed as to tax property for the purpose of constructing any sidewalk, the owners of which have constructed and maintained sidewalks in front of such property of the kind prescribed by ordinance existing at the time of the adoption of the resolution to construct or repair, provided for in section 2329. Exemption of property in certain cases.

SECTION 2. Said original section 2333 is hereby repealed. Repeals.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,
Speaker pro tem. of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 29, 1892.
133G

[House Bill No. 5.]

AN ACT

To amend section 2926e of the Revised Statutes of Ohio, as amended May 19, 1886 (83 O. L., 212).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2926e of the Revised Statutes of Ohio, as amended May 19, 1886, be amended so that said section shall read as follows: Conduct of elections:

Sec. 2926e. On or before the first day of September, annually, the board of elections shall appoint for each and every election precinct, in any such city, two electors of such city to act as registrars of the electors, and also as judges of election in such precinct. And on or before the first day of October, annually, the said board shall appoint two additional judges of elections and two clerks of elections for each and every precinct in any such city. Such registrars, judges and clerks of elections shall each hold their appointment for one year, unless sooner removed by the board of elections, and must be electors of any such city, and able to read and speak the English language understandingly and write it readily and fairly, and each shall take the oath of office hereinbefore prescribed, which may be administered by the secretary or any member of such board, and shall be filed in the office of such board. All persons selected by said board for either of said appointments shall appear before said board at their office after twenty-four hours' notice, either served personally or left at their usual place of residence for examination as to Appointment of registrars, judges and clerks. Term. Qualifications. Oath. Appearance for examination.

Failure to appear.

Refusal or neglect to qualify.

Failure of registrar to perform duties.

their qualifications before being appointed; any elector of such city so selected who shall fail to appear before said board as required by law, or any elector of such city so appointed to act as registrar, judge or clerk of elections therein, who shall refuse or neglect to take and subscribe the oath of office, unless excused by said board, or any registrar who shall, after being duly appointed, fail to be at the place designated for registration in his precinct during the hours set for the registration of electors, or who shall fail to deposit the registers at the office of the board of elections in accordance with the provisions of section 2926*i* of the Revised Statutes, or who shall fail to post the printed lists as required by section 2926*l* of the Revised Statutes, or any person who shall wilfully mar, damage or destroy any registers or portion thereof, shall be fined not more than one hundred dollars ($100.00) nor less than twenty-five dollars ($25.00), or imprisoned in the county jail not more than fifteen days, or both, in the discretion of the court. Neither the two registrars for any precinct, nor the two clerks of election, shall be of the same political party. Nor shall more than two of the four judges of election for any precinct be of the same political party. Appointments of such officers for every precinct shall be made so as in good faith to secure equal representation of political parties, if practicable. Any vacancy in the office of registrar, or of a judge or clerk of elections, shall be filled by said board of elections, and either or any of such officers may be summarily removed from office by such board at any time for neglect of duty, malfeasance or misconduct therein. And in all cases the last appointment to either of such offices for any precinct shall be recognized [as] valid. If any clerk of elections fails to attend at the opening of the polls on the day of any election, or shall, during the election, by any cause become disabled or unfit to act in entering, enumerating or certifying the ballots, the judges of election, or a majority of them, may summarily remove him, and the two judges of the same political party as such clerk shall forthwith appoint another competent elector of any such city to act in his place, and administer to him the oath of office above prescribed; if any judge of election fails to attend at the opening of the polls on the day of the election, or for any cause, by decision of the other three judges, shall become disabled or unfit to act in receiving and enumerating the ballots and certifying the result of the election, the other judge of the same political party shall at once appoint another competent elector of any such city to act in his place, and administer to him the oath of office above prescribed. Provided, that notice of such appointment of judge or clerk be immediately sent by the judge making such appointment to the board of elections, and such person so appointed shall not perform any of the duties of his office until the notice has been sent to the board. The person so appointed to act temporarily as judge or clerk shall perform the duties of the office after the sending of said notice, until the board shall confirm said appointment or appoint another for said office. Whoever shall be appointed as registrar, judge or clerk of elections by the board of elections,

Damage or destruction of registers.

Penalties.

Equal representation of political parties.

Removals and vacancies.

Substituted judges and clerks.

Notice of appointment of substitutes.

Certificates of appointment as registrars,

shall receive from the board a certificate of appointment, which may be revoked at any time by the board, said certificate to be in such form as may be prescribed by the board, and to specify the precinct and ward of the city in and for which the person to whom the same is issued is appointed to serve, the date of appointment, and the expiration of his term of office. Registrars, judges and clerks of election during the time they hold such certificate of appointment, and [as] such officers shall be exempt from the performance of military and jury duty. And immediately upon such removal of a clerk or judge, and filling the vacancy as above provided for, a brief note of the proceedings shall be entered in the poll-books and subscribed by the judges so acting, and specially stating the cause of such removal.

Judges and clerks.

Exemption from jury and military duty.

Minute of removal.

SECTION 2. That said section 2926*e*, as amended May 19, 1886, be and the same is hereby repealed.

Repeals.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,
Speaker pro tem. of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 29, 1892.
134G

[House Bill No. 56.]

AN ACT

Amendatory of and supplementary to an act entitled "An act to provide for the election of an Ohio dairy and food commissioner, salary and expenses," as passed May 1, 1891 (O. L., vol. 88, pp. 496 and 497).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 8035—272 and 275, as amended May 1, 1891 (O. L., 88, pp. 496 and 497), be amended to read as follows:

Food and dairy commissioner:

Sec. 8035—272. That there is hereby created the office of dairy and food commissioner of the state of Ohio. Said commissioner shall be elected at the general election held on the first Tuesday after the first Monday in November, A. D. 1891. He shall take his office on the first Tuesday after the first Monday in May after his election, and shall serve for two years and until his successor is elected and qualified. He shall be charged with the enforcement of all laws against fraud and adulteration or impurities in foods, drinks or drugs in the state of Ohio. His salary shall be fifteen hundred (1,500) dollars per year, and his necessary and reasonable expenses incurred in the discharge of his official duties, to be paid in monthly installments, at the end of each calendar month.

Ohio dairy and food commissioner; election.

Term.

Duties.

Salary and expenses.

Sec. 8035—275. Said commissioner may appoint not to exceed two assistant commissioners, whose salaries shall be twelve hundred dollars per year, and necessary traveling expenses incurred in the discharge of their official duties, to be

Assistant commissioners: appointment; salaries and expenses.

Experts, chemists, agents, inspectors and counsel: employment and compensation.

paid in like manner with the commissioner. The said commissioner shall have power to employ such experts, chemists, agents, inspectors and counsel as may by him be deemed necessary for the proper enforcement of the laws; their compensation to be fixed by the commissioner. All charges, accounts and expenses authorized by this act shall be paid out of the state treasury upon vouchers certified by the commissioner, and upon warrant of the state auditor. The entire expenses of said commissioner shall not exceed in any one year the amount appropriated for such purposes. All vacancies in the office of dairy and food commissioner shall be filled by appointment of the governor, until the next general election, when the same shall be filled as in the original section. All fines assessed and collected under prosecutions begun or caused to be begun by the commissioner shall be paid by the court to the commissioner, and by him paid into the state treasury, and be credited to the fund for the use of the commissioner. Said commissioner shall be furnished a suitable office room in the capitol building, to be furnished and set apart for his use by the adjutant-general, in which he shall keep all books, records, registers and all other property belonging to the office, and turn the same over to his successor in office. The office of the commissioner shall be entitled to stationery and other supplies to be furnished by the secretary of state, in like manner as the same are furnished to other state officers. The commissioner shall make annual reports to the governor containing itemized statements of all receipts and disbursements, and all persons employed by him, together with such statistics and other matter as he may regard of value. Said reports to be published as are the reports of other state officers.

Payment of charges, accounts and expenses.

Limitation of expenses.

Vacancies in office of commissioner.

Disposition of fines collected.

Commissioner's office.

Stationery and supplies.

Annual report.

Repeals.

SECTION 2. All laws, or parts of laws not in accordance with the provisions of this act are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,
Speaker pro tem. of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 29, 1892.
135G

[House Bill No. 172.]

AN ACT

To amend sections (7916—600) and (7916—602), being sections 1 and 3 of an act passed April 17, 1882 (O. L., vol. 79, page 107), entitled "An act to authorize the presiding judge of the court of common pleas, in any county, to appoint a board of visitors for the inspection of all charitable and corrective institutions supported by the county."

Counties:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 7916—600 and 7916—602 be amended so as to read as follows:

Board of county visitors of charitable and correctional institutions: appointment; qualifications; term; compensation.

Sec. 7916—600. The presiding judge of the court of common pleas in each county of the state, at the first spring term of said court, shall appoint six persons, three of whom shall be women, and not more than three of whom shall have the same political affiliations, who shall constitute a board of county visitors, two of whom as indicated by the appointing judge, upon the fixed appointment, shall serve for one year, two for two years and two for three years, and upon the expiration of the term of each, his or her place and that of his or her successor shall, in like manner, be filled for the term of three years, who shall constitute a board of visitors for the inspection of all charitable and correctional institutions supported by such county, who shall serve without compensation.

Annual report.

Sec. 7916—602. The board of county visitors each year shall prepare a full report of their proceedings during the year, with such recommendations as they may deem advisable, and shall file the same with the clerk of the court of common pleas of the county on or before the 15th of November, and shall forward a copy of the same to the board of state charities at Columbus.

Duty of probate judge and board in proceedings to commit child to state reformatory.

Sec. 7916—602*a*. It shall be the duty of the probate judge or other officer in each county, whenever proceedings are instituted before him to commit a child under sixteen years of age to the boys' industrial school at Lancaster, or the girls' industrial home at Delaware, to have notice of such proceedings given to the board of county visitors of such county, whose duty it shall be to attend such proceedings, either as a body or by committee, and protect the interests of such child.

Repeals.

SECTION 2. That said original sections 7916—600 and 7916—602 be and the same are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,
Speaker pro tem. of the House of Representatives.

ANDREW L. HARRIS,
President of the Senate.

Passed March 29, 1892.
136G

[House Bill No. 446.]

AN ACT

To authorize villages of not less than 1,230 population and not more than 1,250 to issue bonds and provide for the payment of the same.

Certain villages may borrow money for general improvements.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of villages of not less than 1,230 population and not more than 1,250 population, be and are hereby authorized to borrow not to exceed fifteen thousand dollars ($15,000), to be applied to the general improvement

Limitation as to expenditure of such money.

and benefit of said villages. Provided no part of said sum shall be used for the purpose, either directly or indirectly, of encouraging any manufacturing or other private industry to locate or operate in such village, or for the purpose of aiding or assisting any manufacturing or other industry now operating or which may hereafter operate in such city.

Issue and sale of bonds.

SECTION 2. That for the purpose of meeting the expenses aforesaid, the said councils of the incorporated villages aforesaid are authorized to issue bonds to be signed by the mayor and attested by the clerk of said village, in denominations of not less than five hundred dollars ($500) and not more than one thousand dollars ($1,000) and bearing interest at a rate not to exceed six (6) per cent. per annum, payable annually. Said bonds to be payable at such time or times, not exceeding twenty-five years from their respective dates thereof, as said councils may determine; which said bonds shall not be sold for less than their par value, and to be sold without compensation or commission; and said bonds may have, in the discretion of such councils, interest coupons attached, and said bonds and interest shall be payable at the villages aforesaid.

Additional tax levy.

SECTION 3. That for the purpose of paying said bonds and the interest thereon as the same shall become due, the said councils are hereby authorized and empowered to levy on all taxable property in their respective villages a tax for such an amount annually, not exceeding two mills above the maximum authorized by the general laws, which levy shall be placed on the duplicate by the auditors of said counties, collected as other taxes, and when collected paid over to the treasurers of said villages.

Question to be submitted to voters.

SECTION 4. Before the said bonds shall be issued, the question of issuing the same shall first be submitted to a vote of the qualified electors of each of the said villages; and if said act be ratified and affirmed by two-thirds ($\frac{2}{3}$) of all the votes for or against said act, at any general election held within the corporate limits of said villages, or by special election to be called by council to vote [as] aforesaid, the same shall take effect and be in full force when ratified by said two-thirds ($\frac{2}{3}$) vote of the electors aforesaid.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.

ANDREW L. HARRIS,
President of the Senate.

Passed March 29, 1892.

137G

[House Bill No. 483.]

AN ACT

To amend an act "To authorize the issuing of bonds and levying of special assessments to pay for laying water-pipes in municipal corporations situated in counties containing a city of the second grade of the first class," passed and took effect March 24, 1888 (vol. 85, p. 112; Smith and Benedict's Revised Statutes, sec. 8417—39).

Assessments for laying water-pipes in municipalities in Cuyahoga county, except Cleveland.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in municipal corporations situated in counties containing a city of the second grade of the first class, except in said city, whenever in the opinion of the council it is necessary as a means of protection against fires, or upon the recommendation of the board of health of such corporation when in its opinion it is necessary as a sanitary measure, or whenever a petition subscribed by a majority in frontage interests of the owners of property bounding or abutting upon any street or highway of any description, between designated points, is presented to the council, requesting the laying of water-pipes or mains in such street or highway between such points, the council is hereby authorized to levy and assess the cost thereof upon the lots or parcels of land bounding or abutting upon such street or highway between the points designated, by the front foot, or according to the valuation of the same on the tax duplicate, or according to benefits as the council may by ordinance determine, not to exceed twenty-five per centum of the actual value of the lots or lands after the water-pipes or mains are laid, and to issue the bonds or notes of the corporation, bearing interest at a rate not exceeding six per centum per annum from the date of issue, payable semi-annually, for the purpose of paying the cost and expense of laying such water-pipes or mains until such assessment can be levied and collected; provided, that in making such assessments the council shall be governed by the provisions of chapter 4, division 7 of title 12 of the Revised Statutes; provided also, that guardians of infants, idiots, imbeciles, lunatics or drunkards may sign such petition on behalf of their wards when so authorized by the probate court on good cause shown.

Issue of bonds or notes.

Provisions governing making of assessments; signing of petition by guardian.

SECTION 2. Said original act as passed March 24, 1888, is hereby repealed; and this act shall take effect and be in force from and after its passage.

Repeals, etc.

ELVERTON J. CLAPP,
Speaker pro tem. of the House of Representatives.

ANDREW L. HARRIS,
President of the Senate.

Passed March 29, 1892.

138G

[House Bill No. 514.]

AN ACT

To amend section 306 of the Revised Statutes, as amended April 16, 1888 (O. L., v. 85, p. 325).

Inspector of mines:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 306 of the Revised Statutes be so amended as to read as follows:

Oils for illuminating mines.

Penalty for selling for use, permitting use of, or using oils of inferior quality.

Sec. 306. That only a pure animal or vegetable oil, or other oils that shall be as free from smoke as a pure animal or vegetable oil, shall be used for illuminating purposes in the mines of the state; and any individual, firm, company or corporation that sells any oil, other than provided in this section, to be used for illuminating purposes in coal or other mines, or the individual, firm or corporation, or the person having in charge the operation or running of any mine, who permits the use in his or their mine, [of] oil other than provided for in this section, or the mine employe that uses with a knowledge of its character, a quality of oil other than provided for in this section, shall be fined not less than $25 nor more than $100, or imprisoned in the county jail for not more than sixty days, or be both fined and imprisoned as the court may decide.

Repeals, etc.

SECTION 2. This act shall take effect and be in force from and after its passage; and said section 306 of the Revised Statutes, as amended April 16, 1888, is hereby repealed.

ELVERTON J. CLAPP,
Speaker pro tem. of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 29, 1892.
139G

[House Bill No. 2.]

AN ACT

To provide an asylum for the care of the insane of the state.

Commission to secure location for asylum for insane: appointment and qualifications.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the governor shall, within ten days after the passage of this act, appoint a commission of three persons, at least two of whom shall be experienced in the care of the insane, and no two of whom shall be residents of the same county, nor shall any one of said commission be a resident of or financially interested in any part or portion of said

Location for asylum.

eastern part of the state as described in this section. Said commission shall select and secure a location for an asylum for the care of the insane of the state. Said asylum shall be located in the eastern part of the state, east of a due north and south line running across the state on the west line of Stark county, and not nearer than forty miles of any similar institution, and are hereby authorized to accept any donation of

Donation of lands.

lands that may be useful for said asylum purposes, and have it deeded to the state in fee simple. When said commission shall have selected a site, a report thereof in writing shall be made to the governor. Said commissioners are allowed only their necessary expenses, to be paid out of the appropriation made for the location and erection of said asylum; and before entering upon the duties of their office, shall take and subscribe an oath or affirmation before some competent authority faithfully to discharge all the duties required of them by this act.

Report of commission.

Expenses of commissioners.

Oath.

SECTION 2. As soon as the report of the commission shall have been made the governor shall appoint a board of five trustees, at least two of whom shall be experienced in the care and treatment of the insane, who are hereby authorized and required to prepare plans and estimates for the construction of the asylum and other necessary buildings. These plans shall provide accommodations for not less than six hundred patients, which shall include heating, lighting, water-supply and sewerage, and all necessary roadways and outbuildings, and for the purchase of land. Should the plans contemplate, in whole or in part, a central building in the congregate plan, this building shall be fire-proof as far as practicable, but detached buildings shall be built on such plans as the commission may deem proper.

Board of trustees: appointment and qualifications.

Plans and estimates for buildings.

SECTION 3. Said board of trustees shall have charge of the erection of the building or buildings, and are required to meet within ninety days after their appointment to arrange for and commence carrying into effect the provisions of this act. The asylum shall be located upon grounds as provided in section one of this act, and the trustees shall be governed in all things by the provisions of law now in force relating to the erection of public buildings, provided that said commissioners and trustees shall not enter into any contract for the erection of said building or buildings until the money has been appropriated by the legislature to pay for the same. Said board of trustees shall be allowed and paid all necessary expenses and the sum of five dollars each per day for every day necessarily employed by them in the discharge of their duties, to be paid out of any appropriation made for the erection of said asylum.

Erection of buildings; meeting of trustees.

Laws governing trustees and commissioners.

Compensation and expenses of trustees.

SECTION 4. The commissioners of any county or counties in the district are hereby authorized and empowered to sell or donate and convey to the state for asylum purposes any lands owned by their respective counties, and to execute therefor good and sufficient deeds and instruments in writing.

Couhty commissioners may sell or donate lands.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 31, 1892.
140G

[House Bill No. 41.]

AN ACT

To amend an act entitled "An act for the better protection of skilled labor, and for the registration of labels, marks, names, or devices covering the products of such labor of associations of workingmen or women" (O. L., vol. 87, pages 141, 142).

Protection of skilled labor:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That an act entitled "An act for the better protection of skilled labor, and for the registration of labels, marks, names, brands or devices covering the products of such labor of associations or unions of workingmen or women," passed April 2d, 1890 (O. L., vol. 87, pages 141, 142), be so amended as to read as follows:

Filing of copy of label, mark, name, brand or device of labor union or association.

Sec. 1. That every union or association of working-men or women, adopting a label, mark, name, brand or device, intending to designate the products of the labor of members of such union or association of working-men or women shall, in order to obtain the benefits of this act, file duplicate copies of such label, mark, name, brand or device in the office of the secretary of state, who shall, under his hand and seal, deliver to the party filing or registering the same a certified copy and a certificate of the filing thereof, for which he shall receive a fee of one dollar.

Certificate thereof; fee.

Enjoining of manufacture, use, display or sale of counterfeits, or of goods bearing same.

Sec. 2. Every union or association of working-men or women adopting such label, mark, name, brand or device, and filing the same as specified in the first section of this act, may proceed, by suit in any of the courts of record in the state, to enjoin the manufacture, use, display or sale of counterfeits or colorable imitations of such label, mark, name, brand or device, or of goods bearing the same; and the court having jurisdiction of the parties shall grant an injunction restraining such wrongful manufacture, use, display or sale of such counterfeits or colorable imitations, and of goods bearing the same, and shall award to the complainants such damages resulting from such wrongful manufacture, use, display or sale, as may be proved, and shall require the defendant to pay to the complainants the profits derived from such wrongful manufacture, use, display or sale, or both profits and damages.

Injunction.

Damages.

Injunction restraining unauthorized use or display of genuine label, etc.

Sec. 3. In like manner the courts of record of this state shall, in a suit brought by a union or association of working-men or women, restrain by injunction every unauthorized use or display by others of the genuine labels, marks, names, brands or devices registered in the manner specified in the first section of this act; in all cases where such use or display is not authorized by the owner or owners thereof; and shall award damages and profits in such cases the same as in cases of the use of counterfeited labels, marks, names, brands or devices.

Damages.

Certificate not assignable.

Sec. 4. In no case shall the certificate from the secretary of state, obtained in conformity with the first section of this act, be assignable by the party to whom the same is issued.

Sec. 5. Any person, or officer or agent of any company or corporation, who shall use, imitate or display any label, mark, name, brand or device for the sale or advertisement of any goods or merchandise which shall have been filed with the secretary of state and his certificate issued therefor as provided for herein, or shall violate any of the provisions of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof in any court of competent jurisdiction, be fined in any sum not exceeding two hundred dollars, or imprisoned in the county jail for a period not exceeding six months, or both, at the discretion of the court.

Penalty for using, imitating or displaying label, etc., or violation of preceding provisions.

SECTION 2. That said above entitled act is hereby repealed; and this act shall take effect on its passage.

Repeals etc.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 30, 1892.
141G

[House Bill No. 69.]

AN ACT

To amend section 282 of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 282 of the Revised Statutes, as amended March 25, 1891 (O. L. 88, 196), be amended so as to read as follows:

Superintendent of insurance:

Sec. 282. There shall be paid by every insurance company doing business in this state, to the superintendent of insurance, the following fees: For filing a copy of its charter or deed of settlement, twenty-five dollars; for filing each statement, twenty dollars; for each certificate of authority, or license and certified copy thereof, two dollars; for each copy of a paper filed in his office, the sum of twenty cents per folio; and for affixing the seal of office and certifying any paper, one dollar; all of which fees shall be paid by the superintendent into the state treasury. There shall also be paid by every life insurance company doing business in this state, annually, by way of compensation for the valuation of its policies, in case no certified valuation of the same has been furnished to the superintendent of insurance, as provided in section 279 of this chapter, one cent on every one thousand dollars insured by it on lives, which, less the actual cost of making such valuations, shall be paid by the superintendent of insurance into the state treasury. When by the laws of any other state or nation, any taxes, fines, penalties, license fees, deposits of money, or of securities, or other obligations or prohibitions are imposed on insurance companies of this state, doing business in such state or nation, or upon their agents therein, so long as such laws continue in force, the same obligations and prohibitions,

Fees shall be paid by companies.

of whatever kind, shall be imposed upon all insurance companies of such other state or nation, doing business within this state, and upon their agents here.

Repeals, etc.

SECTION 2. That said original section 282, as amended March 25, 1891, be and the same hereby is repealed; and this act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.

ANDREW L. HARRIS,
President of the Senate.

Passed March 30, 1892.
142G

[Senate Bill No. 80.]

AN ACT

To authorize cities having a population at the last federal census of 18,553, or that may hereafter have such population, to issue and sell bonds of such city to purchase real estate and construct buildings thereon, and to own and control, lease and sell the same.

City improvement bonds (Findlay).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of any city which at the last federal census had, and those which hereafter may have a population of eighteen thousand five hundred and fifty-three, be and said council is hereby authorized for the purpose of this act hereinafter specified, to issue bonds of said city in any sum not exceeding one hundred and fifty thousand dollars, in denominations not exceeding one thousand dollars, bearing interest not exceeding six per centum per annum payable semi-annually, to be designated "city improvement bonds," and to be payable in not less than twenty-five years, nor more than forty years from the date of their issue. Said bonds to be sold in series as needed, for the purposes hereinafter named, and said series shall be in such amounts as may be called for from time to time by the board of trustees hereinafter provided for, none of which said bonds shall at any time be sold for less than their par value. The proceeds of the sale of said bonds shall be applied for the purposes hereinafter named, and for no other purposes.

Amount; denomination; interest; when payable.

Sale of bonds.

Application of proceeds.

Authority to issue bonds.

SECTION 2. Said bonds shall not be issued by said city council until the authority of the electors of said city shall be given therefor, as provided in the next section.

Special election.

SECTION 3. The council of any such city shall, within ten days after the passage of this act, and at any time thereafter on the petition in writing, signed by ten electors of such city, provide by resolution for the holding of a special election in said city, and for that purpose shall give notice by ten days' publication in each of the daily newspapers printed in said city, designating therein the time and places of holding said election and incorporating in said notice the text of this bill [act], and shall, at such election, submit to the electors of said city as now provided by law, the proposition whether

Notice.

said city improvement bonds shall be issued. If two-thirds of the votes cast at such election shall be in favor of the issuing of said bonds the same shall be issued and sold from time to time, as in this act provided, but not otherwise, and not exceeding said sum of one hundred and fifty thousand dollars. Condition of issue.

SECTION 4. The resolution of such council herein provided for shall forthwith be entered by the clerk of such municipal corporation upon the ordinance book of such municipal corporation, and shall take effect upon passage without publication, any provision of the law to the contrary notwithstanding. Resolution of council: record of: when to take effect.

SECTION 5. The election provided for in this act shall be conducted in accordance with the provisions for the election of municipal officers. Conduct of election.

SECTION 6. If one-third of the votes cast at such election shall be against the issuing of said bonds, then no further proceedings shall be had by any such city under the provisions of this act until said proposition shall be again submitted to said electors as in this act provided. If two-thirds of the votes cast at any such election shall be in favor of the issuing of such bonds, then said city through its said council and board of trustees hereinafter provided for, shall have full power to proceed under this act to carry out fully all its intents and purposes. Suspension of proceedings. Continuance of proceedings.

SECTION 7. In order to meet the interest that will fall due upon said bonds according to their terms, as also the principal thereof at maturity, the city council of any such city shall from time to time in addition to the taxes authorized for all other purposes, levy and assess upon all the taxable property of said city an amount sufficient for such purposes, which shall be collected as other taxes and paid out in discharge of such interest and principal. Additional tax levy.

SECTION 8. All moneys derived from the sale of said improvement bonds and from any and all other sources under this act shall immediately be paid to the city treasurer of such city, who shall be liable upon his official bond for the safe keeping and faithful disbursement of the same as herein provided. No part of such funds shall be paid out by such treasurer except upon the recommendation in writing of a majority of the board of trustees hereinafter provided for, accompanied by an order signed by the mayor and city clerk of such city, and for no other purposes than those named and contemplated by this act. Custodian of funds. Disbursement of funds.

SECTION 9. The bonds of such city provided for in this act shall be signed on behalf of such city by its mayor and countersigned by its city clerk, and attested by its corporate seal. They shall be sold from time to time by the mayor and city treasurer of such city only upon the order of a majority of the board of trustees hereinafter provided for, and to the highest bidder, after such notice given by such mayor and city treasurer as in their judgment shall secure the best competition therefor. Signing, attestation and sale of bonds.

Board of trustees: appointment; qualifications; powers and duties.

SECTION 10. For the purpose of carrying out the provisions of this act, there shall be created in any such city a board of trustees, consisting of five persons, who shall be electors in such city, and who shall be appointed by one of the judges of the common pleas court presiding in the county wherein such city is situated, as hereinafter provided, and with powers and duties as hereinafter defined. And when so appointed the members of such board shall each give bond to such city in a sum to be fixed by the council thereof, not less than five thousand dollars, and with at least one surety, to the acceptance of such city council, conditioned for the faithful discharge of their duties as such, which said bond shall be filed with the city treasurer of such city. And for the breach of any of the conditions of said bond, suit may be prosecuted by such city in its name to final judgment and execution. The members of such board of trustees serving shall each receive a salary at the rate of fifty dollars per annum, to be paid out of the fund created by this act. No member of such board of trustees shall be interested as stockholder or otherwise in any industry secured under the provisions of this act.

Bond.

Salary.

Interest in industries secured.

Certificate to judge common pleas court; appointment of board of trustees.

SECTION 11. So soon as the result of the election provided for in the third section of this act shall be ascertained, if a two-thirds of the votes cast thereat be in favor of the issuing of said bonds, the city clerk of said city shall certify that fact to one of the common pleas judges named in the last preceding section, whose duty it shall be to appoint said board of trustees, consisting of five members, with qualifications as in this act required. The members of said board, when so appointed and qualified as in this act provided, shall each hold his said appointment for one year and until his successor is appointed and qualified. Upon the expiration of the term of office of any member of said board, or upon a vacancy occurring therein from any cause, said judge shall forthwith make an appointment to fill such place or vacancy, and such appointee shall qualify as in this act required; provided, that nothing herein shall prevent the reappointment of a person who has already served upon said board. All appointments and removals so made by said judge shall be forthwith certified to the city clerk, who shall make a record of the same.

Term of members of board.

Expiration of term or vacancy.

Record of appointments and removals.

General powers of board.

SECTION 12. Said board of trustees when so appointed and qualified, or a majority of them, shall have the power for and on behalf of such city, and in their names as such trustees for such city, to direct the sale of said bonds from time to time, and in such amounts as their investments and contracts may require; to direct and control the application of the proceeds of such sale of bonds as well as any other moneys coming into their hands as such in payment of their investments and the fulfillment of their contracts, or in lieu of the sale of said bonds may deliver the same in payment for such purposes; to purchase grounds and buildings within such city or its immediate vicinity for manufacturing purposes; to purchase or accept as donations ground or grounds and buildings

in such city or its immediate vicinity for manufacturing purposes, and to erect thereon suitable buildings when by them deemed for the interest of such city for manufacturing purposes; to sell or exchange any such ground or grounds and buildings so purchased, donated or built for other ground or grounds and buildings in such city or its immediate vicinity for manufacturing purposes; to lease such ground or grounds and buildings so purchased or received by them for manufacturing purposes only, and for such time as may be necessary until they can make judicious sale of the same for manufacturing purposes, and to sell any and all of such ground or grounds and buildings when the same can be done advantageously to such city, and to reinvest the proceeds received therefrom for like purposes. All of the powers and authority so conferred and to be exercised by such board shall be so exercised by it for the sole purpose of securing for such city safe, profitable and permanent manufactories, such as will furnish employment to the inhabitants thereof.

Further powers of board.

SECTION 13. To enable such board of trustees to carry out the purpose of this act and to exercise the power and discharge the duties herein conferred, said board, or a majority of its members, are hereby empowered as such trustees for such city, to receive donations in lands and other things and to accept proper conveyances therefor, as well as for any purchase and exchange by them made, and to hold such titles in trust for such city until such property shall be disposed of by it; as such trustees, and in their names as such, to make and execute all contracts pertaining thereto, all leases and conveyances of any and all such property so acquired, and to reinvest the proceeds thereof for like purposes, and to do any and all acts and things necessary to fulfill the purposes of this act, anything in the law to the contrary notwithstanding. For any act of malfeasance or breach of trust on the part of any member of said board while in office, he shall be civilly and criminally liable as in other cases of trust or agency. And said board of trustees as such, for and on behalf of such city, shall have power to sue and shall be liable to be sued in any of the courts of this state, as other persons in like cases.

Liability of member for malfeasance, etc.

Board may sue and be sued.

Existence of board.

SECTION 14. Such board of trustees shall continue in existence until all the moneys derived from the sale of such bonds and otherwise, shall have been expended, and all the property so acquired by purchase, exchange, donation, reinvestment or otherwise, shall have been disposed of by it as herein provided.

President and secretary of board; compensation of secretary.

SECTION 15. Said board of trustees shall, before proceeding to do any other business, organize by selecting one of its members president, and elect a secretary who may or may not be a member of said board and who shall be paid such compensation for his services as the trustees may direct; it shall at all times keep a full and complete record of all its dealings and transactions, and shall, from time to time when called upon by the city council of such city, furnish to such city council a full statement from its records of such of its transactions and dealings as may be called for.

Record of proceedings; statement to city council.

Removal of member and filling of vacancy.

SECTION 16. Any member of said board of trustees may be removed therefrom and his place therein declared vacant by a judge of the common pleas court presiding in the county in which such city is situated, for good cause, and the vacancy thereby created filled as herein provided.

SECTION 17. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,
Speaker pro tem. of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 31, 1892.
143G

[Senate Bill No. 136.]

AN ACT

To amend section 1181 of the Revised Statutes.

County surveyor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 1181 of the Revised Statutes of the state of Ohio be so amended as to read as follows:

Office; cases; blank-books; blanks; stationery, etc.

Engineer of roads, turnpikes, ditches and bridges; exceptions; compensation.

Sec. 1181. The surveyor shall keep his office at the county seat in such room or rooms as are provided by the county commissioners, which shall be furnished at the expense of the county, with all necessary cases, and other suitable articles, also with all blank-books, blanks and stationery needful for the proper discharge of his official duties; and whenever the services of an engineer are required with respect to roads, turnpikes, ditches or bridges, except in counties containing cities of the first or second grade of the first class, the county surveyor shall act as such engineer, and shall receive for his services such compensation as is provided by law for the services of an engineer in such cases.

Repeals.

SECTION 2. That said original section 1181 be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 30, 1892.
144G

[House Bill No. 140.]

AN ACT

To amend an act entitled "An act to provide for the better care and protection of the property of imbecile or insane persons," passed April 3, 1891 (Ohio laws, vol. 88, p. 271).

Guardians and trustees:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 6301 of the Revised Statutes of Ohio be supplemented with sectional numbering as follows:

Guardian of minor, drunkard, lunatic, idiot or imbecile may borrow money and mortgage real estate of ward in certain cases.

Sec. 6301*a*. That in any case where at the time any person may have been or may be adjudged idiotic, imbecile, or insane there exists one or more mortgages or judgments that are a lien on the real estate of such person so adjudged idiotic, imbecile, or insane or where there are valid debts due from such adjudged idiot, imbecile, or insane which may be a claim against the estate of any such person, which would require the sale of his real estate to pay the same, or where repairs or improvements may be for the benefit of said estate, or where real estate may have descended or been devised or may hereafter descend or be devised to a minor or minors, or to a person adjudged idiotic, imbecile, lunatic or drunkard which is liable for the payment of any debts, legacy or legacies or on which one or more mortgages or judgments may exist that are a lien on the said real estate, the guardian of such person may borrow money and mortgage the real estate of such ward or any part thereof to pay such mortgage, debts, legacies and judgments, and such additional sum as shall by the court be deemed necessary to make any needed repairs and improvements on said real estate.

Petition therefor; what to contain.

Sec. 6301*b*. The guardian proposing to so borrow money shall file in the probate court in which he was appointed such guardian, a petition describing the real estate so encumbered, and also all the real estate of such ward, and stating the nature and amount of the encumbrances thereon, when the same became due or will become due, and the rate of interest thereon; also the amount and character of all valid debts due from such ward, to whom due, when the same will become due or became due and the rate of interest thereon, the necessity for and character of any repairs and improvements, and also the amount required for said repairs and improvements, together with a statement of said ward's personal property and the income from such personal property and from said ward's real estate; and also stating the amount probably necessary to maintain said ward and his family, and the names, ages and residence of said ward and next of kin residing in the state, including the wife or husband of such ward, and all persons holding liens on said real estate, all of whom shall be made defendants, and be notified of the pendency and prayer of such petition in such way as said court shall direct, and a statement of the character of the imbecility or insanity of such ward —whether temporary or confirmed—and its duration, and such other facts as may be pertinent to the question whether such money should be borrowed, and a prayer that he be authorized to mortgage so much of said ward's lands as may be necessary to

Investigation as to repairs or improvements.

secure such loan; provided, that before the court shall make any order authorizing the guardian to so mortgage such real estate for the purpose of borrowing any money to make any repairs or improvements as hereinbefore provided, he shall appoint three disinterested freeholders, whose duty it shall be fully to investigate the question as to the necessity for, and the advisability of making said repairs or improvements, and the probable cost thereof, and report the same to the court under oath.

Proceedings upon filing of petition.

Sec. 6301*c*. Upon the filing of such petition, the same proceedings shall be had as to pleadings and proof as are had on petition by a guardian to sell the real estate of a minor.

Determination of amount to be borrowed and lands to be encumbered.

Sec. 6301*d*. Upon the final hearing, if it shall appear to said court to be for the best interests of the estate of said ward that the prayer of the petition be granted, the court shall fix the amount necessary to be so borrowed, and direct what lands of said ward shall be encumbered by mortgage to secure the same, and an order shall issue to such guardian directing him to ascertain and report to the court the rate of interest and time for which he can borrow said amount so found necessary to be borrowed.

Report as to rate of interest and time.

Acceptance and confirmation of report and terms; execution of notes and mortgage.

Personal liability of guardian.

Distribution of fund; report of guardian.

Sec. 6301*e*. If such report and the terms proposed shall be satisfactory to said court, the same may be accepted and confirmed, and said guardian be authorized and ordered as such guardian to execute a note or notes for said amount, and to execute a mortgage on the lands so designated, and such mortgage shall be a good and valid lien on such lands, and said guardian shall in no way be personally liable for the payment of such sum so borrowed, or any part thereof; but such lands solely shall be held and bound therefor, and said court shall direct the distribution of said fund, and said guardian shall report to said court for its approval the execution of said notes and mortgage and his distribution of said fund.

Repeals, etc.

SECTION 2. That said act, passed April 3, 1891, be and the same is hereby repealed, and this act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 30, 1892.
145G

[Senate Bill No. 184.]

AN ACT

To supplement section 2804 of the Revised Statutes.

Annual county board of equalization:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2804 of the Revised Statutes be supplemented with sectional numbers as follows:

Contents of notice to persons directly

Sec. 2804*a*. The notice provided for in section 2804 shall describe the real estate whose tax value is to be acted upon

by the description thereof in the tax duplicate of the current year, and shall state the name in which it is taxed and that the tax value thereof will be acted upon by the board on the tenth day after said notice shall have been served as next herein provided. Interested in valuation of real estate.

Sec. 2804*b*. Said notice shall be served (1) by delivering a copy thereof to the person or persons interested in said real estate, or by leaving such copy at the usual place of residence or business of such person or persons; or if no such place of residence or of business shall be found in the county, (2) by delivering such copy to the agent in charge of said real estate and collecting the rents thereof; or if no such agent shall be found in the county, (3) by advertisement thereof inserted one time in a newspaper of general circulation in the county in which said real estate is situated; and notices to the respective persons interested in different pieces of real estate may be united in one advertisement under the same general heading. Notice served in accordance with any of the above provisions shall be sufficient. Service of notice.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,
Speaker pro tem. of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 31, 1892.
146G

[House Bill No. 253.]

AN ACT

To authorize cities of the first grade of the second class to purchase and hold land outside of their corporate limits to be used as a sewer farm and construct and maintain appliances necessary for the disposition of the sewerage of said cities and to issue bonds to pay for the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That cities of the first grade of the second class be and they are hereby authorized and empowered by and through the board of public works thereof, to purchase and hold land outside their corporate limits to be used as a sewer farm and to construct and maintain thereon all the necessary appliances for the proper disposition of the sewerage of said cities. Columbus sewer farm.

SECTION 2. That for the purpose of raising funds to pay for the same the city councils of such cities upon the recommendation of the board of public works, be and they are hereby authorized and empowered to issue bonds of such cities, and in an amount not to exceed one hundred thousand dollars. Said bonds shall be issued by such city councils whenever the board of public works may determine that they are necessary for such purposes, and in denominations of one thousand dollars each, and shall be payable at such times as said board of public works may designate not to exceed five years Issue and sale of sewer farm bonds.

from their date. Said bonds shall be designated as "sewer-farm bonds," and shall bear such rate of interest not to exceed six per cent. per annum, payable semi-annually, as the city councils of the cities issuing them may determine, and said bonds shall in all respects be made and disposed of as provided by law.

Additional tax levy.

SECTION 3. That the city councils of such cities which avail themselves of the provisions of this act shall levy annually upon all the taxable property in such cities, a tax sufficient in rate and amount to pay the accruing interest on said bonds and to provide a sinking fund to pay said bonds at maturity, and such levy may be additional in rate and amount to the taxes authorized by law to be levied for any and all other purposes.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 30, 1892.
147G

[House Bill No. 309.]

AN ACT

To amend section 4858 of the Revised Statutes of Ohio.

Two-mile assessment pikes:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 4858 of the Revised Statutes be and the same is amended so as to read as follows:

When the road is in more than one county.

Sec. 4858. When any proposed road improvement contemplated by this chapter is in more than one county, application shall be made by petition to the commissioners of each of the counties, and the commissioners of such counties, upon the petition and bond being filed in their respective counties, shall meet in joint session at such time and place as the auditor of the county in which there is more of such proposed improved road located than in any other county shall appoint, in a notice to the auditors of each of the counties in which the petition has been filed. The auditor of the county in which the joint board meets shall be the clerk of the board, and furnish a certified copy of the proceedings to each of the counties interested. The said joint board shall not order such improvement made until the said petitions are respectively signed by a majority of the resident landowners of the county wherein such petition is filed, whose lands will be assessed to pay the expense of said improvement. The petitioners shall have the qualifications required in section four thousand eight hundred and thirty-six (4836). The viewers, surveyors and engineers, persons to apportion the estimated expense of the improvement shall have the qualifications required, when.

the improvement is confined to one county. And the viewers and persons to apportion the estimated expense shall be appointed so as to allow one at least to each county, if there are not more counties than there are persons to be appointed. There shall be separate reports of the viewers and of the persons to apportion the expenses, for so much of such improvement as lies in each county, which shall be filed with the clerk of the joint board. If any person appointed to perform duty under the provisions of this chapter shall be unable to perform such duty, the commissioners, or joint board of commissioners, as the case may be, shall appoint another person to fill the vacancy. The assessments shall be paid into the county treasury of the county where the lands assessed are located; and the money shall be paid out on the order of the joint board. A majority of the joint board shall have power to make findings and orders necessary to carry out the provisions of this section; but such majority shall be composed of at least one commissioner from each county in which the improvement is located. In all matters not herein provided for the joint board shall proceed according to the provisions of this chapter. But proceedings already commenced shall be continued as if this act was not passed.

Repeals.

SECTION 2. That said original section 4858 of the Revised Statutes is hereby repealed.

SECTION 3 This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 30, 1892.
148G

[House Bill No. 326.]

AN ACT

To provide for the better care and management of joint township cemeteries, by amending sections 2533 and 1509 of the Revised Statutes of Ohio, by enacting supplementary sections 2533a and 1509—1.

Cemeteries.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 2533 and 1509 be amended with sectional numbering as follows:

Organization of board of trustees.

Sec. 2533a. The board of trustees, when appointed in pursuance with the provisions of section No. 2533 shall organize by electing a president, a secretary and a managing trustee, the latter of whom shall receive and hold all moneys coming into the hands of such board. Before entering upon the discharge of his duties, the managing trustee shall give bond, with sureties to be approved by the president and secretary of such board of trustees, payable to them as such

Managing trustee to be custodian of funds; bond.

officers in such sum as they determine, and conditioned for the faithful discharge of his duties, and the paying over according to law upon the order of the board, of all moneys that may come into his hands by virtue of his office.

Payment of funds collected for joint township cemetery to managing trustee.

Sec. 1509—1. The township treasurer of any township who shall receive any money as taxes levied and collected under the provisions of section 1474 shall, on or before the 15th day of February and August in each year, pay over to the managing trustee of the joint township cemetery board of directors having charge of any such cemetery, all such funds then in his hands as such treasurer and accept from the treasurer of such board his receipt therefor.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 30, 1892.
149G

[House Bill No 353.]

AN ACT

To supplement an act entitled "An act to authorize boards of education in cities of the second grade of the first class to levy a tax for certain purposes therein specified," passed March 16, 1887.

Purchase of sites and erection of buildings for manual or domestic training schools (Cleveland).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That boards of education in cities of the second grade of the first class, may use for the purpose of purchasing sites for manual or domestic training schools, and erecting or purchasing buildings thereon for such schools, so much as they may deem expedient of the proceeds of the levy for manual and domestic training, authorized by the act entitled "An act to authorize boards of education in cities of the second grade of the first class to levy a tax for certain purposes therein specified," passed March 16, 1887.

Certificates of indebtedness.

SECTION 2. That for the purpose of paying for such sites or buildings, or for the construction of such buildings, such boards of education may issue certificates of indebtedness in anticipation of such levy, payable at such times not exceeding six years from date of issue as they may designate, but bearing no interest before maturity.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 30, 1892.
150G

[House Bill No. 359.]

AN ACT

To regulate the branding of cheese in the state of Ohio and to prevent fraud in its manufacture and sale.

Stamping of grade of cheese and place where manufactured.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That every manufacturer of cheese in the state of Ohio shall have upon the sale thereof distinctly and durably stamped in full-faced capital letters upon each and every such cheese by whatever style or name known, the grade of the same as: "Ohio full cream," "Ohio state cheese," "Ohio standard" or "Ohio skimmed," as hereinafter provided for, together with the name of the city, village or town where such cheese was manufactured.

Ohio full cream.

SECTION 2. Such cheese only as shall have been manufactured from pure and wholesome milk from which no portion of the butter fats have been removed by skimming or any other process, and in the manufacture of which neither butter nor any other animal or vegetable fats or oils have been used, nor any fats which have been extracted from milk in any form and returned for the purpose of filling the cheese, shall be stamped: "Ohio full cream." All cheese manufactured as above required from pure and wholesome milk, but from which a portion of the butter fats have been removed, shall, if it contain not less than seventy-five per centum of pure butter fats, be stamped: "Ohio state cheese." All cheese manufactured as above required from pure and wholesome milk, but from which a portion of the butter fats have been removed, shall, if it contain less than seventy-five per centum of butter fats and not less than forty per centum of butter fats, be stamped "Ohio standard." All cheese containing less than forty per centum of butter fats shall be stamped: "Ohio skimmed."

Ohio state cheese.

Ohio standard.

Ohio skimmed.

Regulations as to stamp and stamping ink.

SECTION 3. The stamp provided for in this act designating the grade of cheese shall be such as to produce an impression not less than three inches in width and not less than five inches in length, and the words: "Ohio full cream," "Ohio state cheese," "Ohio standard" or "Ohio skimmed," together with the name of the factory and the name of the city, village or town where such factory is located, the whole to be included within a full heavy border. Ordinary stamping ink, red, green, purple or violet in color and of such composition as not to be easily removed or wholly obliterated by moisture, shall be used in stamping as provided in this act.

Penalties.

SECTION 4. Any manufacturer of cheese who shall sell or dispose of any cheese without being stamped as required by this act, or who shall falsely stamp the same, and any dealer or other person who shall remove, deface or obliterate such stamp from any cheese so stamped, shall, upon conviction thereof, be fined not less than twenty-five dollars nor more than one hundred dollars for the first offense, and for each subsequent offense not less than one hundred dollars and not more than three hundred dollars and pay the costs of prosecution.

SECTION 5. This act shall take effect and be in force from and after June 1, 1892.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 30, 1892.
151G

[House Bill No. 384]

AN ACT

To provide for the consolidation of the reports of the geological survey for 1890, 1891 and 1892.

Publication of annual reports of state geologist in single volume.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the second and third annual reports of the state geologist shall be published in a single volume during the current year, in accordance with the organic law of the survey.

Report on the paleontology of Ohio.

SECTION 2. There shall be included within said volume a report on the paleontology of Ohio, comprising ten plates and one hundred and twenty-five pages, more or less, of descriptive matter, that were prepared for third volume of Ohio paleontology, but not published, and now in possession of the New York academy of science.

Maps.

SECTION 3. Said volume shall be accompanied by maps drawn to a common scale, indicting the outcrops and extent above drainage of each of the several coal seams of the state that admits of being mined in a large way, with details as to the thickness, composition and character of said seams.

Appropriations.

SECTION 4. There is hereby appropriated for these several purposes the sum of four thousand dollars, in addition to the annual appropriation for the geological survey, covering paleontological plates three hundred and fifty dollars, and work in mapping the coal seams and preparing reports on the same three thousand five hundred dollars.

SECTION 5 This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 30, 1892.
152G

[House Bill No. 426.]

AN ACT

To amend section 2264, Revised Statutes of Ohio, as amended March 31, 1891.

Assessments:

SECTION. 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2264, as amended March 31, 1891, be so amended as to read as follows:

Assessments which may be made special.

Sec. 2264. In the cases provided for in the last section, and in all cases where an improvement of any kind is made of an existing street, alley or other public highway, the council may decline to assess the costs and expenses in the last section mentioned, or any part thereof, or the costs and expenses or any part thereof of such improvement, except as hereinafter mentioned, on the general tax list, in which event such costs and expenses or any part thereof which may not be so assessed, on the general tax list, shall be assessed by the council on the abutting and such adjacent and contiguous or other benefited lots and lands in the corporation, either in proportion to the benefits which may result from the improvement, or according to the value of the property assessed or by the foot front of the property bounding and abutting upon the improvement, as the council by ordinance setting forth specifically the lots and lands to be assessed may determine before the improvement is made, and in the manner and subject to the restriction herein contained; and the assessment shall be payable in one or more installments, and at such times as the council may prescribe; but this section shall be subject to the provisions of chapter two of this division, and in cities of the first and third grades of the first class, at the time when the council determines that the cost of such improvement is to be assessed as above provided, it shall also determine in how many installments said assessment shall be payable; at what intervals, it payable in more than one installment; also whether or not bonds shall be issued in anticipation of such assessment; and when bonds are issued in anticipation of the collection of such assessment, the interest accrued and to accrue on said bonds shall be considered and treated as part of the costs and expenses of such improvement for which assessments may be made. In cities of the third grade of the first class, such assessments, when made, shall become due and payable at the time and in the manner provided by the council; and if said assessment or any installment thereof shall not be paid at the time the same becomes due, a penalty of fifteen (15) per centum shall thereupon attach to such unpaid assessment or installment, and thereafter such unpaid assessment or installment shall bear interest until the payment thereof at the same rate as the bonds issued in anticipation of the collection of such assessments; and the county auditor shall, annually, place upon the tax duplicate the penalty and interest herein provided for. When the council of said cities of the third grade of the first class shall determine to issue bonds in anticipation of the collection of assessments provided for in this

Installments.

Cincinnati and Toledo.

Toledo.

section or required by section twenty-two hundred and seventy-four (2274), the provisions of section two thousand seven hundred and two (2702) shall not apply, nor shall said section twenty-seven hundred and two apply when a part, not in excess of one-third of the costs and expenses of any such improvement or appropriation is to be paid by any such city by levy or assessment upon the general tax list, issue of bonds, or otherwise, as may be provided by law; and any such city of the third grade of the first class is hereby authorized to issue and sell its general street improvement bonds, at a rate for interest not in excess of (5) five per cent. per annum, payable semi-annually, to pay for the city's part or share aforesaid, of the costs and expenses of any such improvement and appropriation, and may levy taxes, in addition to the tax now by law authorized to be levied therein or make assessments as provided in the preceding section to pay such bonds and interest thereon. When the council of cities of the second class and third grade and cities of the second class and third grade *a*, determine to issue bonds in anticipation of the collection of assessments to pay the costs and expenses of appropriating lots and lands for the purpose of laying off, opening, extending or widening a street, alley or other public highway, the provisions of section twenty-seven hundred and two (2702), shall not apply.

Cities second class, third grade, and Springfield.

Repeals, etc.

SECTION 2. That said section 2264, as amended March 31, 1891, is hereby repealed; and this act shall be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 30, 1892.
153G

[House Bill No. 576.]

AN ACT

To authorize township trustees in certain townships in the state of Ohio to issue bonds for the purpose of public improvements.

Public improvement bonds (Vermillion township, Ashland county).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the township trustees of any township of not less than eighteen hundred and forty nor more than eighteen hundred and forty-six, in any township which at the last federal census had a population of not less than eighteen hundred and forty nor more than eighteen hundred and forty-six, be and the same are hereby authorized and empowered to issue the bonds of such township in any sum not exceeding twenty thousand dollars, in denominations not exceeding one thousand dollars each, bearing interest not exceeding six per cent. per annum, payable semi-annually, and payable at any time not exceeding fifteen years from the date of their

Amount; denominations; interest; payable.

issue, as the township trustees of such township shall determine. Said bonds shall be advertised for public sale; the sale of said bonds shall be to the highest and best bidder, after thirty days' notice in at least two newspapers of general circulation in said Ashland county, Ohio, setting forth the nature, amount, rate of interest and length of time the bonds have to run, with the time and place of sale; said bonds shall be sold at not less than their par value. Advertisement and sale.

SECTION 2. The proceeds arising from the sale of said bonds or any portion of them shall be expended for the purpose of aiding and encouraging public improvements in such township. Application of proceeds.

SECTION 3. Before such bonds or any of them shall be issued the question of issuing the same shall be submitted to a vote of the qualified electors of such township at a regular or special election to be held at the usual places of voting in such township, and at such time as the trustees thereof may determine. The ticket to be voted at such election shall have written or printed thereon, "Authority to issue bonds—Yes;" "Authority to issue bonds—No." If the proposition to issue bonds be approved by a majority of those voting thereon at such election, then the township trustees of such township may issue and sell said bonds for the purpose heretofore named and as provided in this act. Notice of such election shall be published in at least two newspapers published or circulating in such township for not less than ten days prior to such election, which shall in all respects not herein provided for be managed and conducted as other township elections are or may be required by law to be managed and conducted in township elections. Regular or special election. Ballots. Issue and sale of bonds conditional. Notice and conduct of election.

SECTION 4. To pay the principal and interest of any of said bonds as the same shall become due, the trustees of such township are authorized and empowered to levy a sufficient tax on all the taxable property of any such township in addition to all other taxes authorized by law; said tax shall be levied and collected as other taxes in such township. Additional tax levy.

SECTION 5. That if the bonds herein provided for shall not be issued or disposed of within five years from April 1st, 1892, then this act shall be null and void; and if at the expiration of that time there remains a portion of said bonds which have not been issued or disposed of then that portion of said bonds shall be void and of no effect. Limitations.

SECTION 6. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,
Speaker pro tem. of the House of Representatives.

ANDREW L. HARRIS,
President of the Senate.

Passed March 31, 1892.
154G

[House Bill No. 646.]

AN ACT

To provide for the care and control of electric light plants in certain villages.

Control of electric light plant.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of any village of the first class, owning and operating water-works and electric light plants, may, by ordinance, place the care and control of such electric light plants into the hands of the water-works trustees of such village; and the acts of such water-works trustees within the limits of the ordinance giving them such control shall be binding upon all parties concerned.

SECTION 2. This act shall take effect from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.

ANDREW L. HARRIS,
President of the Senate.

Passed March 30, 1892.
155G

[House Bill No. 647.]

AN ACT

Authorizing certain villages to borrow money and issue bonds to complete the construction of water-works and electric light plants.

Water-works and electric light plant bonds of certain villages.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of any village containing not less than 4,300 or more than 4,310 inhabitants at the last federal census or which may at any future census have such population, owning and controlling water-works and electric light plants are hereby authorized and empowered to issue the bonds of such village in any sum not to exceed ten thousand dollars ($10,000.00) for the purpose of extending and completing such water-works and electric light plants. Such bonds shall be in such denominations as the council shall determine and bear not more than six per cent. interest payable annually and shall not be sold for less than par value, and be sold according to law, and made payable in not more than twenty-five years after date of issue and be dated on day of sale.

Amount.

Denomination; interest; sale; when payable.

Application of proceeds.

SECTION 2. Out of the proceeds of such sale of bonds as provided for in section one of this act, not more than seven thousand dollars shall be used in completing and extending such water-works, and the remainder of the proceeds of the sale of the bonds shall be used in completing and extending the electric light plant in the village.

SECTION 3. This act shall take effect and be in full force and effect from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.

ANDREW L. HARRIS,
President of the Senate.

Passed March 30, 1892.
156G

[House Bill No 689.]

AN ACT

To authorize the council of any incorporated village in the state of Ohio which contained at the last federal census, or which at any subsequent federal census may contain, a population of not less than 2,765 and not more than 2,775 to issue bonds and levy a tax for the payment of the same and the interest thereon, for the purpose of building water-works and supplying water to said village and the purchase and erection of an electric light plant.

Water-works and electric light plant bonds of certain villages.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of any incorporated village in the state of Ohio, which at the last federal census contained, or which at any subsequent federal census may contain a population of not less than 2,765 nor more than 2,775, be and the same are hereby authorized to issue the bonds of said village in a sum not exceeding sixty thousand ($60 000) dollars, bearing interest at a rate not exceeding five per cent. per annum from the date of issue, payable semi-annually, and redeemable at such times as the council by ordinance may prescribe, not more than thirty years from date, to be applied to the erecting of a water-works and electric light plant for said village to be owned and operated by said village.

Amount; interest; when payable.

Issue and sale.

SECTION 2. Said bonds shall be signed by the mayor and countersigned by the clerk of said village, in denominations of not less than $100, nor more than $1,000, and shall not be sold for less than their par value, and may be sold at such times and in such amounts from time to time as will best subserve and carry out the purpose for which they are issued.

Application of proceeds.

SECTION 3. The funds realized from the sale of said bonds shall be used only for the purpose of erecting and maintaining a plant for the supplying of water and light to said village and the inhabitants thereof by a complete water-works and electric light plant to be constructed, owned and controlled by said village.

Additional tax levy.

SECTION 4. That for the purpose of paying said bonds and the interest thereon as the same becomes due, the said council is hereby authorized and empowered to levy on all the taxable property of said village a tax for such an amount annually not exceeding five mills above the maximum authorized by the general laws, which levy shall be placed on the duplicate by the auditor of the county, collected as other taxes, and when collected, paid over to the treasurer of such village.

Regular or special election.

Notice.

Ballots.

Condition of issue.

SECTION 5. That before such bonds shall be issued or tax levied the question of issuing said bonds and levying said tax shall be submitted to the qualified voters of such village at a regular or general election, or at a special election called for that purpose, of which ten days' notice shall be given in two newspapers printed and in general circulation in said village, designating the amounts of bonds proposed to be issued and the purpose for which issued. Those voting in favor of the issue of such bonds shall have written or printed on their ballots the words "Issue of bonds for water-works and electric light plant—Yes;" and those voting against the same the words "Issue of bonds for water-works and electric light plant—No;" and if a majority of all the votes cast at said election shall be in favor of issuing such bonds then the council of such village shall have authority and proceed to issue said bonds, and not otherwise.

SECTION 6. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.

ANDREW L. HARRIS,
President of the Senate.

Passed March 30, 1892.
157G

[House Bill No. 776]

AN ACT

To authorize the trustees of any township having a population at the last federal census or any subsequent federal census of not less than thirteen hundred and thirty-five nor more than thirteen hundred and forty-five, to issue bonds for the purpose of macadamizing or graveling and improving the public highway in such township.

Public highway improvement bonds (Jackson township, Van Wert county).

Amount; interest.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of any township having a population at the last federal census or any subsequent federal census of not less than thirteen hundred and thirty-five nor more than thirteen hundred and forty-five, [are hereby authorized] to issue the bonds of such township in any sum not exceeding ($20,000) twenty thousand dollars, bearing interest at a rate not exceeding 6 per cent. per annum from the date of issue, payable semi-annually, for the purpose of macadamizing or graveling and improving the highways in such township.

Issue and sale of bonds.

Payment of principal.

Levy of tax.

SECTION 2. Said bonds shall be signed by the trustees of such township and countersigned by the clerk, and shall not be sold for less than their par value; the principal shall be payable after five years from the date of the issue of said bonds, in annual installments, of not less than four thousand dollars; and the said trustees are hereby authorized to levy a tax upon all the taxable property of such township to pay said bonds and interest thereon as the same become due, and the

funds realized from the sale of said bonds shall be used by the trustees of such township for no other purpose than that specified in section 1 of this act.

Application of proceeds of bonds.

SECTION 3. The board of trustees, after having determined which roads are to be improved, shall examine such roads and ascertain if the proposed roads are sufficiently graded and drained; and if such be not the case, then they may take to their assistance a competent surveyor or engineer, whose duty it shall be to make, under the direction of the board of trustees, a survey and level of the roads so selected, fix the grade of the road and the grade and capacity of the drains on the sides thereof. The trustees shall cause to be constructed all necessary culverts on such roads, fix the width of the graveled or macadamized track not less than nine feet nor more than sixteen feet wide, and the depth thereof not less than eight inches nor more than twelve inches in the center, and the slope from the center to the sides. The trustees may consolidate the road districts through which any such proposed road improvement passes, and direct the supervisors of such road district to work the two days' labor in such district, and in such manner as shall be prescribed by the trustees.

Examination of roads to be improved.

Surveyor or engineer; duty.

Culverts; width and depth of track.

Consolidation of road districts.

Two days' labor.

SECTION 4. A majority of the board of trustees shall be necessary to order the said road improvement, and the work of the construction and the furnishing of the material for such road improvement shall be publicly let, excepting such work as may be done by the supervisors of the road district as herein provided. The contracts for material to be used in the construction of said road improvement and the contracts for hauling said material upon the roads shall be let separately.

Ordering and letting of improvement.

Contracts for material and hauling.

SECTION 5. The trustees, after having given public notice of the time and place of such letting, for at least two weeks, in a newspaper of general circulation in the township or county, or by handbills, or both, at the discretion of the board of trustees, specifying the kind and quality of the material, and the part of the road upon which the same is to be used, shall let the same to the lowest bidder, who shall give bond to the acceptance of the trustees. The bids for the material and for the work of hauling the same shall be separately stated, and the trustees may reject any or all bids. The trustees shall examine and accept the work when completed, and ascertain the amount of material furnished under the provisions of this act, and if found in all respects correct, shall draw an order for the amount due for work, or for material furnished, upon the township treasurer, which shall be countersigned by the township clerk.

Notice of letting.

Lowest bidder; bond.

Separate bids.

Rejection of bids; examination and acceptance of work.

Order for payment.

SECTION 6. The board of trustees may appoint one of their number, or some other suitable person who shall oversee the work, and for services rendered under the provisions of this act, they shall be entitled to receive for each day actually employed, the sum of one dollar and fifty cents per day. And the trustees shall provide for the township clerk a suitable book in which there shall be kept a complete record of the business

Overseer; compensation.

Township clerk's record and compensation.

transacted under the provisions of this act, and it is hereby made his duty to keep a full and complete record of the action of the board of trustees under this act, and the township clerk, for making said record, shall be entitled to receive ten cents per hundred words, and for all other services such reasonable compensation as may be allowed by the board of trustees.

Payment of fees.

Itemized accounts

Order for payment.

SECTION 7. The fees of the township officers, the engineer, and the person who may be appointed by the board of trustees under the provisions of this act, shall be paid out of the township road fund. But before any payments shall be made for services rendered under the provisions of this act, the person entitled thereto shall make out and file with the township clerk an itemized account of his services, whereupon the trustees shall, if they find the same correct, draw an order on the township treasurer, countersigned by the township clerk.

Roads free to public travel; repairs.

SECTION 8. The roads graveled or macadamized under the provisions of this act shall be free to the public travel, and shall be kept in repair by the trustees, out of the funds that come into the township treasury from the county treasury, as provided for in section one thousand four hundred and fifty-nine (1459) of the Revised Statutes of Ohio.

Special or general election.

Notice.

Ballots.

Levy of tax conditional.

SECTION 9. The question of issuing said bonds and levying said tax and the improvement of said roads of such township shall be submitted to a vote of the qualified electors of said township at a special or general election to be ordered by the trustees of such township at the usual place of holding elections. Notice of holding said election to be posted up at least in five conspicuous places in such township at least ten days before said election. The tickets to be voted at said election shall have written or printed thereon the words "Road improvement—Yes," or "Road improvement—No;" and if a majority of those voting on said proposition are in favor of the same, then it shall be the duty of said trustees to make said levy as hereinbefore directed.

Exemption from taxation.

SECTION 10. Provided, that after the trustees of such township have made the levy and commenced and continue to improve the public highway as herein provided, the property in such township shall be exempt from any levy by the commissioners of said county for the purpose of constructing, maintaining or improving roads.

SECTION 11. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 30, 1892
158G

[House Bill No. 779.]

AN ACT

To facilitate the administration of justice in the first subdivision of the fourth judicial district.

Adjournment of trial in first subdivision fourth judicial district.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That whenever a jury shall have been empaneled for the trial of any case, or whenever any action, either at law or in equity, shall be on trial in the common pleas court of any county in the first subdivision of the fourth judicial district, as now constituted, and it shall be deemed proper in the discretion of the court, by reason of the approaching termination of any term of said court, or for any other cause, to continue and adjourn such trial to the next succeeding term, it shall be lawful for the court to order and direct that the trial be adjourned to a day certain, on which day the case shall proceed and be disposed of and ended, as if the trial had commenced at such succeeding term, and this act shall apply to pending cases and to any case now on trial.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 30, 1892.
159G

[Senate Bill No. 1.]

AN ACT

To apportion the state of Ohio into congressional districts under the eleventh census of the United States, and to repeal an act of the general assembly of the state of Ohio, passed 1890.

Congressional apportionment.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the state of Ohio shall be divided into twenty-one districts for the election of representatives to congress, and each district shall choose one representative in the manner following, to-wit:

First district.—That so much of the county of Hamilton as is now contained within the limits of the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 18th, 26th and 27th wards of the city of Cincinnati, as they are now constituted, and the townships of Anderson, Columbia, Spencer, Symmes and Sycamore, and Avondale, and the Northeast, Southeast, St. Bernard, Bond Hill and Clifton precincts of Millcreek township shall compose the first district.

Second district.—The remaining portion of the county of Hamilton now contained within the limits of the 12th, 13th, 14th, 15th, 16th, 17th, 19th, 20th, 21st, 22d, 23d, 24th, 25th, 28th, 29th and 30th wards of the city of Cincinnati, as they

Congressional apportionment.

are now constituted, and the townships of Springfield, Colerain, Greene, Delhi, Storrs, Miami, Whitewater, Harrison and Crosby, and Elmwood, College Hill, Winton Place and Western precincts of Millcreek township shall compose the second district.

Third district.—The counties of Preble, Butler and Montgomery shall constitute the third district.

Fourth district.—The counties of Darke, Shelby, Mercer, Auglaize and Allen shall compose the fourth district.

Fifth district.—The counties of Williams, Defiance, Henry, Paulding, Putnam and Van Wert shall compose the fifth district.

Sixth district.—The counties of Greene, Warren, Clinton, Highland, Brown and Clermont shall compose the sixth district.

Seventh district.—The counties of Miami, Clark, Madison, Fayette and Pickaway shall compose the seventh district.

Eighth district.—The counties of Hancock, Hardin, Logan, Champaign, Union and Delaware shall compose the eighth district.

Ninth district.—The counties of Lucas, Ottawa, Wood and Fulton shall compose the ninth district.

Tenth district.—The counties of Pike, Jackson, Gallia, Lawrence, Adams and Scioto shall compose the tenth district.

Eleventh district.—The counties of Meigs, Athens, Vinton, Ross, Hocking and Perry shall compose the eleventh district.

Twelfth district.—The counties of Franklin and Fairfield shall compose the twelfth district.

Thirteenth district.—The counties of Erie, Sandusky, Seneca, Crawford, Wyandot and Marion shall compose the thirteenth district.

Fourteenth district.—The counties of Lorain, Huron, Ashland, Richland, Morrow and Knox shall compose the fourteenth district.

Fifteenth district.—The counties of Washington, Morgan, Noble, Muskingum and Guernsey shall compose the fifteenth district.

Sixteenth district.—The counties of Carroll, Jefferson, Harrison, Belmont and Monroe shall compose the sixteenth district.

Seventeenth district.—The counties of Wayne, Holmes, Coshocton, Tuscarawas and Licking shall compose the seventeenth district.

Eighteenth district.—The counties of Stark, Columbiana and Mahoning shall compose the eighteenth district.

Nineteenth district.—The counties of Ashtabula, Trumbull, Geauga, Portage and Summit shall compose the nineteenth district.

Twentieth district.—The counties of Lake and Medina, and that portion of Cuyahoga county composed of the townships of East Cleveland, Bedford, Chagrin Falls, Euclid, Independence, Mayfield, Newburg, Orange, Solon, Warrensville, Brecksville, Brooklyn, Dover, Middleburg, Olmstead, Parma, Rockport, Royalton and Strongsville, and wards 26th, 28th, 29th, 30th, 31st, 32d, 33d, 34th, 35th, 36th, 37th, 38th, 39th and 40th, as at present constituted, in the city of Cleveland, shall compose the twentieth district. Congressional apportionment.

Twenty-first district.—The remaining portion of Cuyahoga county shall compose the twenty-first district.

SECTION 2. That said original act, passed March 11th, 1890, is hereby repealed. Repeals.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,
Speaker pro tem. of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 31, 1892.
160G

[House Bill No. 118.]

AN ACT

For the relief of Joseph T. Garvin, member Ohio national guard, injured by premature explosion of cannon.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the auditor of the state of Ohio be and he is hereby authorized and required to issue his warrant on the state treasurer to pay to Joseph T. Garvin, of Youngstown, Ohio, out of the general revenue fund not otherwise appropriated, three thousand dollars for his relief on account of injuries sustained by him by the premature explosion of a cannon on the 17th day of September, A. D. 1879, while in line of his duty as private in the second Ohio battery, Ohio national guard, in firing a salute for the president of the United States. Appropriation for Joseph T. Garvin.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 31, 1892.
161G

[Senate Bill No. 176.]

AN ACT

To amend section 4 of an act entitled "An act relating to the imprisonment of convicts in the Ohio penitentiary, and the employment, government and release of such convicts by the board of managers, as amended February 27, 1885, O. L. vol. 85 [82], p. 60; and also to amend section 12 of an act as amended April 16, 1888, O. L. vol. 85, p. 336.

Penitentiary.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 4 of an act passed February 27, 1883 O. L. vol. 82, p. 60, and section 12 of an act passed April 16 1888, O. L. vol. 85, p. 336, be amended so as to read as follows

Employment of prisoners.

Contracts with manufacturers and others.

Classification of labor on piece plan.

Advertisement for bids for product of labor on such plan.

What bid shall specify.

Convicts temporarily idle, etc.

Bond to accompany bid.

Award of contract.

Rejection of bid.

Corrector supervision over convict, etc.

Period of contract.

Arrangement for employment and pay of laborers etc.

Sec. 4. The prisoners in the above institution shall b employed by the state upon the plan and in the manner a follows, namely: It shall be competent for the managers t provide employment for any number of prisoners by an agree ment with manufacturers and others to furnish machinery materials, etc., for the employment of the prisoners under th direction and immediate control of the managers and thei officers; and the said managers shall make such rules as ar necessary and proper for the classification of the labor of th prisoners on the piece or process plan or otherwise, and befor making any contract therefor they shall, if they deem best advertise for bids for the product of such labor on the plan aforesaid, in one each of the newspapers published in Colum bus, Cleveland and Cincinnati, once a week for at least fou weeks; the advertisement shall specify the kind and quality of labor to be employed, and such other particulars as may b necessary. Each bid shall specify the amount bid for th product of such labor on the piece or process plan or otherwise provided, that convicts temporarily idle upon the passage o this act may be contracted for on the above plan withou advertising. Each bid shall be accompanied with a bond with sureties to the satisfaction of the board that the bidder wil comply with the terms of his bid if it be accepted. And said managers shall award the contract for the product of said labor to the best and most satisfactory bidder upon sufficien security to the board for the faithful performance of the con tract; but the board may reject any bid if it be against the interest of the state of [or] the welfare of the pris oners; but under no circumstances shall any contracto of [for] the product of convict labor have corrector supervision over or control of the labor of the con vict; and no contract shall be made that will bind the state to any system for a period exceeding five years; and i shall be competent for the managers to arrange with the em ployer of the prisoners under this act to pay for the labor o such number of laborers necessary to the conduct of the general business (when they are employed in connection with larger numbers of other prisoners working by the piece or process plan or otherwise), by the day or week, or other wise, as may be agreed; but no arrangement shall be made or entered into by the board for a longer period than one year that will produce less than seventy cents per day for the labor

of able-bodied convicts, excepting that convicts during the first year of their sentence, or those who are entirely unskilled, or disabled by disease, or old age, cripples, females and minors, may be temporarily hired at less than the above rate, and all prisoners under the age of twenty-two years shall be employed when possible at hand-work exclusively, for the purpose of acquiring a trade. The managers are required to employ all the prisoners that are necessary in making all articles for the various state institutions, not manufactured by such institutions, as far as practicable, and the institutions shall purchase and pay to the penitentiary the market price for all such articles.

Hand-work.

Articles for state institutions.

Sec. 12. It shall be the duty of the warden, with the advice and consent of the board of managers, to appoint the following named officers, whose compensation shall be as follows: Deputy warden, twelve hundred dollars per year; the clerk, fifteen hundred dollars per year; the assistant clerk, at the discretion of the board, not exceeding ten hundred dollars per year; the chaplain, who shall also act as librarian, not to exceed ten hundred dollars per year; the steward, twelve hundred dollars per year; the physician, ten hundred dollars per year; the assistant deputy warden, at ten hundred dollars per year; the superintendent of the school, at eight hundred dollars per year, and said superintendent shall be accredited as a guard; one superintendent of construction, at not to exceed twelve hundred dollars per annum; and the following named officers at a salary not exceeding nine hundred dollars per annum: One day assistant physician, who shall also be superintendent of the hospital; and one night physician; one storekeeper; one postmaster; one superintendent of subsistence; one superintendent of transfers and halls; one superintendent of piece price; one superintendent of state shops; one day captain of the guard-room; one night captain of the guard-room; one captain of the night-watch; one superintendent of yards; and one superintendent of gas and electric [lights], salary not to exceed twelve hundred dollars per annum; one stenographer, at a salary not to exceed forty dollars each calendar month; the male guards, sixty-five dollars and the female guards, who shall [also] be matron and assistant matron, fifty dollars each calendar month; provided each guard shall be allowed not to exceed fourteen days' vacation each year without reduction of pay; the warden may also appoint, as hereinbefore provided, such other officers and employes as may be necessary to carry on the moral and religious features of the institution, each of whom shall receive not to exceed seven hundred and eighty dollars a year. The appointees herein provided for shall be selected for their fitness and qualifications for the position to which they may be appointed or employed, and shall hold their offices or places for two years, or unless (sooner) removed in accordance with the provisions of section 7413; provided further, that one guard, or one of the minor officers, shall be appointed from each county until the necessary number is secured. Provided, however, the board may appoint a secretary of the board of managers, at a salary not

Appointment and salaries of officers and other employes.

Vacation of guards.

Moral and religious features.

Qualifications and term of appointees.

Removals.

Representation from each county.

Secretary of the board of managers.

to exceed fifteen hundred dollars per annum, who shall serve during the pleasure of the board. All the appointees herein provided for shall be paid monthly out of the state treasury, on the warrant of the state auditor.

Payment of salaries.

Repeals.

SECTION 2. Said section 4, as amended February 27, 1885, and section 12, as amended April 16, 1888, are hereby repealed.

SECTION 3. This act shall take effect from and after its passage.

ELVERTON J. CLAPP,
Speaker pro tem. of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 31, 1892.
162G

[House Bill No. 199.]

AN ACT

To amend section 1209a of the Revised Statutes of Ohio.

Coroner:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 1209*a* of the Revised Statutes of Ohio, passed April 12, 1888, as supplemental to section 1209 of the Revised Statutes of Ohio, be amended so as to read as follows:

Coroner's clerk (Cuyahoga and Hamilton).

Sec. 1209*a*. The coroner in all counties having a city of the first grade of the first class, may appoint a clerk at a salary not to exceed twelve hundred dollars ($1,200.00), and the coroner in all counties having a city of the second grade of the first class, may appoint a clerk at a salary not to exceed ten hundred ($1,000.00) dollars per annum, whose term of appointment shall expire with the term of the appointing coroner; and the auditor of the county is authorized to draw his warrant upon the county treasurer therefor, who shall pay the same out of any fund not otherwise appropriated.

Repeals.

SECTION 2. That section 1209*a* of the Revised Statutes of Ohio, passed April 12, 1888, as supplementary to section 1209 of the Revised Statutes of Ohio, be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 31, 1892.
163G

[House Bill No. 200.]

AN ACT

To provide an office for coroners in counties containing a city of the second grade of the first class.

Coroner's office (Cuyahoga).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in all counties of the state of Ohio containing a city of the second grade of the first class, the county commissioners of such counties shall provide a suitable office for the coroner of the county, and furnish the same with such furniture and fixtures and provide the coroner with a telephone and with such stationery as the coroner may require.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 31, 1892.
164G

[Senate Bill No. 260.]

AN ACT

To amend section 1442 of the Revised Statutes, relating to township elections.

Officers of civil townships:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 1442 of the Revised Statutes be so amended as to read as follows:

When and where election to be held.

Sec. 1442. On the first Monday of April, annually, the electors of each township shall assemble at such place as is appointed by the trustees thereof (or by the advertisement of the commissioners, in case of a newly set off township), for the purpose of electing their township officers; and the electors, when so assembled to the number of twelve or more, either at the annual or any special township election or meeting, between the hours of six and ten before noon, shall proceed to choose, viva voce, three persons having the qualifications of electors, judges of the election, and two persons having like qualifications, to serve as clerks; but in townships for which township officers have been chosen for the preceding year, the trustees shall serve as judges, and the clerk and such other person as the judges appoint, shall serve as clerks of election then to be held, and if either of the trustees or clerk fails to attend, the place of such trustee or clerk shall be filled by the electors, viva voce, as aforesaid; provided, that, if the trustees of any township belong to the same political party, then the person not a member of the same political party as the trustees, having received the next highest vote for the office of trustee at the next preceding township election shall act as judge in the place of the trustee last elected for

Judges and clerks.

the term of three years; and provided, further, that the clerk selected as herein provided shall not be a member of the same political party as the township clerk.

Repeals, etc

SECTION 2. Said original section 1442 is hereby repealed and this act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,
Speaker pro tem. of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 31, 1892.
165G

[Senate Bill No. 262.]

AN ACT

To authorize the village council of any village which had at the last federal census or which at any subsequent federal census may have a population of not less than three thousand and seventy-five nor greater than three thousand and eighty-five to borrow money and issue bonds for the purpose of improving a town hall heretofore erected.

Town hall improvement bonds (Wilmington).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the village council of any incorporated village which at the last federal census had, or which at any subsequent federal census may have a population not less than three thousand and seventy-five nor greater than three thousand and eighty-five be and said council is hereby authorized to issue bonds in any sum not exceeding twenty thousand dollars, bearing interest not to exceed five per cent. per annum, payable semi-annually, to be designated as town hall improvement bonds, and to be payable in not less than ten nor more than twenty years from their date. Said bonds to be of the denominations and payable at such place as said village council may determine.

Amount; interest; when payable; denomination.

Additional tax levy.

SECTION 2. Said village council is hereby empowered to levy such amount of tax upon the taxable property of said village in addition to other taxes authorized by law as may be necessary to pay the interest and principal of such bonds when the same become due. Said taxes to be levied and collected in the same manner as taxes for other purposes are levied and collected.

SECTION 3 This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 31, 1892.
166G

[Senate Bill No. 266.]

AN ACT

To authorize certain cities of the second class to issue bonds for street improvement and sewerage purposes, and to repeal a certain act.

Street improvement and sewer bonds (Ironton).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That any city of the second class which at the last federal census had, or at any subsequent federal census may have, a population of not less than ten thousand nine hundred and twenty-five, nor more than ten thousand nine hundred and fifty, be and it is hereby authorized and empowered to issue the bonds of such city in an amount not to exceed fifty thousand dollars for street improvement and sewerage purposes in such city. Said bonds shall be issued in such denominations, not to exceed one thousand dollars each, shall bear interest at such rate not to exceed five per cent. per annum, payable annually or semi-annually, and shall be payable at such place and time not to exceed twenty years from their date, as council may determine, and shall be made, issued and disposed of in all respects as provided by law. Twenty-five thousand dollars in amount of said bonds shall be issued and the proceeds used only for the purpose of constructing main trunk and intercepting sewers to carry off the sewerage of such city. Twenty-five thousand dollars in amount of said bonds shall be issued and the proceeds used only for street improvement purposes, to wit: To pay the cost of intersections, and the city's proportion as provided by law of the remaining cost of the improvement of the streets of said city; and no part of the proceeds of said bonds shall be used for opening, widening or straightening any street or alley; provided, no more than five thousand dollars in amount of said street improvement bonds shall be issued in any one year, except that when two-thirds of all the members of the council elect agree thereto not to exceed ten thousand dollars in amount of said bonds may be issued in any one year.

Amount; denominations; interest; when payable; issue and sale.

Application of proceeds.

Limit of yearly issue of street improvement bonds.

Additional tax levy.

SECTION 2. Commencing with the year 1892, the council of any such city shall annually levy on the taxable property of the city a tax not exceeding one mill in each year to pay the principal and interest of the bonds as the same shall mature, which tax shall be in excess of the maximum now allowed by law.

Repeals.

SECTION 3. The act entitled "An act to authorize any city of the fourth grade of the second class, which at the federal census of 1880, had, or which at any subsequent federal census may have, a population of not less than eight thousand four hundred and fifty nor more than eight thousand four hundred and seventy, to issue bonds for street improvement and sewerage purposes," passed March 3, 1891 (88 O. L., p. 68), is hereby repealed.

Bonds heretofore issued and sold.

SECTION 4. The council of any city described in section 1 hereof which may have issued and disposed of any bonds under and by virtue of the authority or supposed authority,

conferred by the act repealed in section 3 hereof, the proceeds of which bonds shall have been used for street improvement and sewerage purposes, is hereby authorized and empowered to issue in exchange for such bonds the bonds authorized by this act, or to use the proceeds of the bonds authorized by this act in whatever amount may be necessary to purchase or pay off such bonds.

Taxes heretofore levied.

SECTION 5. Any tax which may have been levied under and by virtue of the authority or supposed authority conferred by the act repealed in section 3 hereof by the council of any city described in section 1 hereof is hereby ratified, and shall be deemed and held in all respects to be valid and binding upon all the taxable property of any city described in the first section hereof, and the proceeds of such tax shall be used and applied in the payment of the principal or interest of any bonds authorized by this act, or any bonds for which such bonds may be exchanged.

SECTION 6. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,
Speaker pro tem. of the House of Representatives
ANDREW L. HARRIS,
President of the Senate

Passed March 31, 1892.
167G

[House Bill No. 391.]

AN ACT

To authorize the adjutant-general of the state of Ohio to purchase a flag for the use of the capitol building.

Flag for capitol.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the adjutant-general be and he is hereby authorized to purchase a flag of such dimensions as he thinks sufficient for use upon the flagstaff on the dome of the capitol building, to be used thereon upon all legal holidays, and such other occasions as said adjutant-general may think the occasion requires.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives
ANDREW L. HARRIS,
President of the Senate

Passed March 31, 1892.
168G

[House Bill No. 408.]

AN ACT

To amend section 2926q of the Revised Statutes of Ohio.

Conduct of elections.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2926q of the Revised Statutes of Ohio be amended so as to read as follows:

Session of board of elections on day of election.

Sec. 2926q. The board of elections shall convene in session at their office at six o'clock a. m. on the day of every election in such cities, and remain in session continuously until the statements giving the result of the election, as required above, shall have been received from every precinct in such city. The board shall have power to employ messengers, to use the telephone and telegraph, direct the police force of the city, and use any other lawful means to secure prompt and correct reports from the election judges, as above required. The police authorities shall assign at least one policeman to do duty in each precinct on every day of an election. The board shall also have authority during said day, in case any elector through no mistake or negligence of his own, shall have been registered in the wrong precinct, to issue to such elector a certificate showing such fact, and such certificate when presented by such elector to the proper registrars and judges, shall entitle said elector to vote in his proper precinct, and such mistake shall be noted on the register.

Reports of election.

Assignment of police.

Certificate in case of involuntary mistake in registering.

Repeals, etc.

SECTION 2. That said original section 2926q be and the same is hereby repealed; and this act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.

ANDREW L. HARRIS,
President of the Senate.

Passed March 31, 1892.
169G

[House Bill No. 532.]

AN ACT

To provide for the improvement of state and county roads in counties containing a city of the second grade of the first class.

Additional levy for improvement of state and county roads (Cuyahoga).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in counties containing a city of the second grade of the first class, the commissioners, at their March or June session annually, in addition to the levy authorized for road and bridge purposes by section 2824 of the Revised Statutes, shall levy on each dollar of valuation of taxable property within said county, five-tenths of a mill; and in addition thereto, on each dollar of valuation of taxable property within the townships outside of the cities and incorporated villages, which townships outside of the cities and incorporated villages are hereby made a taxing district for that purpose one mill for the creation of a fund to be known

[House Bill No. 600.]

AN ACT

To amend section 4017 of the Revised Statutes of Ohio, as amended April 28, 1890.

Schools:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 4017 of the Revised Statutes of Ohio, as amended April 28, 1890, be so amended as to read as follows:

Control of schools vested in board; appointees.

Salaries.

Terms.

Vote on appointments; record thereof.

Dismissals.

Darke county.

Sec. 4017. The board of education of each district shall have the management and control of the public schools of the district with full power to appoint a superintendent and assistant superintendents of the schools, a superintendent of buildings, and teachers, janitors, and other employes, and fix their salaries or pay, which salaries or pay shall not be either increased or diminished during the term for which the appointment is made; but no person shall be appointed for a longer time than that for which a member of the board is elected. At said appointment, the clerk shall call publicly the roll of all the members comprising the board, and as each member's name is called, he shall verbally announce the name of the candidate who is his choice, and the clerk shall enter on the records required to be kept, the names of those voting and for whom they voted. And such board may dismiss any appointee for inefficiency, neglect of duty, immorality or improper conduct. Except that in all counties which by the last federal census had, or which at any subsequent federal census may have a population not greater than 42,975 nor less than 42,950 no person shall be appointed to any position named in this section for any period longer than one year unless the same be done by a vote of three-fourths of all the members of said board.

Repeals.

SECTION 2. That section 4017, as amended April 28, 1890, be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,
Speaker pro tem. of the House of Representatives.

ANDREW L. HARRIS,
President of the Senate.

Passed March 31, 1892.
173G

[House Bill No. 601.]

AN ACT

To amend section 4889 of the Revised Statutes of Ohio, as amended April 25, 1890, and to repeal an act entitled "An act to create township supervisors in certain counties, and require the letting of certain portions of the road work by contract," passed March 26, 1891.

Repair of improved roads:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 4889 of the Revised Statutes of Ohio be amended so as to read as follows:

Sec. 4889. Each township in the counties of Belmont, Brown, Butler, Carroll, Champaign, Clinton, Columbiana, Cuyahoga, Darke, Delaware, Erie, Fayette, Franklin, Geauga, Greene, Hamilton, Harrison, Henry, Licking, Lucas, Madison, Montgomery, Muskingum, Ottawa, Preble, Ross, Stark, Summit, Trumbull, Tuscarawas, Washington, Warren and Wayne in which any such free road is located, shall be a road district for the care and maintenance thereof. Townships in certain counties made road districts.

SECTION 2. That said original section 4889 and the act entitled "An act to create supervisors in certain counties, and to require the letting of certain portions of road work by contract," passed March 26, 1891, be and the same are hereby repealed. Repeals.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 31, 1892.
174G

[House Bill No. 620.]

AN ACT

To amend section 4 of an act passed March 26, 1891 (88 O. L., p. 234), entitled "An act to provide for the collection, arrangement and display of the products of the state of Ohio at the world's Columbian exposition of 1893, and to make an appropriation therefor," and to appropriate an additional sum of money for the purposes of said act, and to authorize the commission appointed under the provisions of said act to contract for and have placed a suitable memorial design.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 4 of the above entitled act, passed March 26, 1891 (88 O. L., p. 234), be amended so as to read as follows: Board of world's fair managers of Ohio:

Sec. 4. The board of world's fair managers is authorized and directed to appoint an executive commissioner and to fix his salary, subject to the approval of the governor, which salary shall not exceed four thousand dollars per year, and necessary expenses while engaged in the discharge of his official duties; an itemized statement of such expenses to be rendered by said executive commissioner to the board of managers, to be audited and approved by said board before payment thereof, which salary and expenses shall be payable monthly out of the appropriation hereinafter authorized, and said executive commissioner shall be authorized and required to assume and exercise, subject to the supervision of said board, all such executive powers and functions as may be necessary to secure complete and creditable display of the interests of the state at the world's Columbian exposition of 1893; and as the executive agent of said board he shall have personal charge of the solicitation, collection, transportation, arrangement, and exhibition of the objects sent under the authority of the

Executive commissioner: appointment, salary and expenses.

Itemized statement of expenses.

Payment of salary and expenses.

Powers and duties.

[House Bill No. 600.]

AN ACT

To amend section 4017 of the Revised Statutes of Ohio, as amended April 28, 1890.

Schools:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 4017 of the Revised Statutes of Ohio, as amended April 28, 1890, be so amended as to read as follows:

Control of schools vested in board; appointees.

Sec. 4017. The board of education of each district shall have the management and control of the public schools of the district with full power to appoint a superintendent and assistant superintendents of the schools, a superintendent of

Salaries.

buildings, and teachers, janitors, and other employes, and fix their salaries or pay, which salaries or pay shall not be either increased or diminished during the term for which the ap-

Terms.

pointment is made; but no person shall be appointed for a longer time than that for which a member of the board is

Vote on appointments; record thereof.

elected. At said appointment, the clerk shall call publicly the roll of all the members comprising the board, and as each member's name is called, he shall verbally announce the name of the candidate who is his choice, and the clerk shall enter on the records required to be kept, the names of those voting

Dismissals.

and for whom they voted. And such board may dismiss any appointee for inefficiency, neglect of duty, immorality or im-

Darke county.

proper conduct. Except that in all counties which by the last federal census had, or which at any subsequent federal census may have a population not greater than 42,975 nor less than 42,950 no person shall be appointed to any position named in this section for any period longer than one year unless the same be done by a vote of three-fourths of all the members of said board.

Repeals.

SECTION 2. That section 4017, as amended April 28, 1890, be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,
Speaker pro tem. of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 31, 1892.
173G

[House Bill No. 601.]

AN ACT

To amend section 4889 of the Revised Statutes of Ohio, as amended April 25, 1890, and to repeal an act entitled "An act to create township supervisors in certain counties, and require the letting of certain portions of the road work by contract," passed March 26, 1891.

Repair of improved roads:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 4889 of the Revised Statutes of Ohio be amended so as to read as follows:

Sec. 4889. Each township in the counties of Belmont, Brown, Butler, Carroll, Champaign, Clinton, Columbiana, Cuyahoga, Darke, Delaware, Erie, Fayette, Franklin, Geauga, Greene, Hamilton, Harrison, Henry, Licking, Lucas, Madison, Montgomery, Muskingum, Ottawa, Preble, Ross, Stark, Summit, Trumbull, Tuscarawas, Washington, Warren and Wayne in which any such free road is located, shall be a road district for the care and maintenance thereof. Townships in certain counties made road districts.

SECTION 2. That said original section 4889 and the act entitled "An act to create supervisors in certain counties, and to require the letting of certain portions of road work by contract," passed March 26, 1891, be and the same are hereby repealed. Repeals.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 31, 1892.
174G

[House Bill No. 620.]

AN ACT

To amend section 4 of an act passed March 26, 1891 (88 O. L., p. 234), entitled "An act to provide for the collection, arrangement and display of the products of the state of Ohio at the world's Columbian exposition of 1893, and to make an appropriation therefor," and to appropriate an additional sum of money for the purposes of said act, and to authorize the commission appointed under the provisions of said act to contract for and have placed a suitable memorial design.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 4 of the above entitled act, passed March 26, 1891 (88 O. L., p. 234), be amended so as to read as follows: Board of world's fair managers of Ohio:

Sec. 4. The board of world's fair managers is authorized and directed to appoint an executive commissioner and to fix his salary, subject to the approval of the governor, which salary shall not exceed four thousand dollars per year, and necessary expenses while engaged in the discharge of his official duties; an itemized statement of such expenses to be rendered by said executive commissioner to the board of managers, to be audited and approved by said board before payment thereof, which salary and expenses shall be payable monthly out of the appropriation hereinafter authorized, and said executive commissioner shall be authorized and required to assume and exercise, subject to the supervision of said board, all such executive powers and functions as may be necessary to secure complete and creditable display of the interests of the state at the world's Columbian exposition of 1893; and as the executive agent of said board he shall have personal charge of the solicitation, collection, transportation, arrangement, and exhibition of the objects sent under the authority of the

Executive commissioner: appointment, salary and expenses.

Itemized statement of expenses.

Payment of salary and expenses.

Powers and duties.

state to the world's Columbian exposition of 1893, and of such objects sent by individual citizens of the state as may be by them placed in his charge. He shall make a report to the board monthly, and shall hold office at the pleasure of the board.

Monthly report; term of office.

Appropriation.

SECTION 2. That for the purposes of said act there is hereby appropriated out of any moneys in the treasury, not otherwise appropriated, to the credit of the general revenue fund, the sum of forty-five thousand ($45,000.00) dollars, to be expended according to the provisions of said act.

Memorial design.

SECTION 3. That the commission appointed under the provisions of this act is hereby authorized to contract for and have placed on the Ohio building lot in the grounds of the world's Columbian exposition at Chicago, a suitable memorial design, consisting of a group of statuary in marble or bronze, of statesmen and soldiers, representative of the state and of national renown; the total cost of said memorial not to exceed twenty-five thousand dollars; and at the close of the said Columbian exposition the said memorial design shall be removed to Columbus, Ohio, and placed permanently in the rotunda of the capitol.

Limit of cost.

Removal to Columbus.

Repeals, etc.

SECTION 4. Section 4 of the said act, herein amended, is repealed; and this act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 31, 1892.
175G

[House Bill No. 678.]

AN ACT

To repeal an act entitled "An act to regulate the daily hours of service of officers and firemen in the fire department of cities of Ohio," passed March 17, 1892.

Repeals (Cleveland).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That an act entitled "An act to regulate the daily hours of service of officers and firemen in the fire department of cities of Ohio," passed March 17, 1892, be and the same is hereby repealed.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 31, 1892.
176G

[House Bill No. 780.]

AN ACT

To amend section one of an act entitled "An act to provide for the mode of conducting elections, to insure the secrecy of the ballot and prevent fraud and intimidation at the polls, and to repeal certain statutes therein named," passed April 30, 1891, and amended March 18, 1892.

Conduct of elections.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section one of an act entitled "An act to provide for the mode of conducting elections, to insure the secrecy of the ballot and prevent fraud and intimidation at the polls, and to repeal certain statutes therein named," passed April 30, 1891 (O. L., v. 88, p. 449), as amended March 18, 1892, be and the same is hereby amended so as to read as follows:

How election of public officers to be conducted; exceptions.

Sec. 1. That hereafter elections of all public officers in the state of Ohio shall be conducted in accordance with the provisions of this act, excepting the election of township officers (including justices of the peace) at the annual April election or at any special election, the election of any judge of court of common pleas or other court, or of any other officer, at such April election, the election of municipal officers of hamlets and villages not divided into wards, whose population by the last federal census was less than 3,500, and of municipalities situate in two or more counties, of whatever population and whether such municipalities shall be divided into wards or otherwise, the elections for school directors, subdistrict directors and members of school boards and boards of education in township, special and village school districts, when such villages have a population by the last federal census of less than 3,500, and are not divided into wards, and in municipalities situated in two or more counties as aforesaid, and the submission of all questions to be voted upon at such April and special elections, shall be exempt from the operation of the provisions of this act, and notice of such elections, the manner of holding the same, the returns thereof, and the canvass of such returns shall be given, held and made as required by law.

Repeals.

SECTION 2. Said original section one, passed April 30, 1891, and amended March 18, 1892, is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,
Speaker pro tem. of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 31, 1892.
177G

[House Bill No. 781.]

AN ACT

To amend section twenty of an act entitled "An act to provide for the mode of conducting elections, to insure the secrecy of the ballot and prevent fraud and intimidation at the polls, and to repeal certain statutes therein named," passed April 30, 1891.

Conduct of elections:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section twenty of an act entitled "An act to provide for the mode of conducting elections, to insure the secrecy of the ballot and prevent fraud and intimidation at the polls, and to repeal certain statutes therein named," passed April 30, 1891, be amended so as to read as follows:

Division of precincts.

Sec. 20. When five hundred votes or more have been cast at the last preceding election in any precinct, the county board of elections shall give ten days' notice at least thirty days prior to an election, by publication in two leading papers of opposite politics published in the county, that the same is to be divided into two or more precincts, on a day named in said notice. On said day, or some subsequent day to which the matter may be adjourned by the board, the matter of dividing said precinct as near equally in voters as possible shall be heard, considered and determined by the board, and if said board can not agree, the question shall be submitted to the probate judge, upon a written statement of such disagreement, signed by at least two members of the board, who shall forthwith determine the same. Provided, that nothing in this section contained shall be construed to affect the powers and duties of city boards of elections, in reference to the division of election precincts within such cities, as provided in section 2926 of the Revised Statutes; provided, further, that the division of any election precinct into two or more subdivisions as herein provided shall not be construed as requiring the election of an assessor in each such subdivision, but in all such election precincts subdivided as aforesaid there shall be elected one assessor for each original precinct; provided, further, that nothing in this section shall be construed as requiring the holding of elections for such officers the election of whom are excepted from the provisions of said act of April 30, 1891, referred to in section one hereof and the submission of questions to be voted upon at such April or special elections in such subdivisions of original election precincts made by said county boards of election (except in cities, villages divided into wards, and villages having a population of more than three thousand five hundred) but the election for such officers and the submission of such questions to be voted upon at such April and special elections shall be held in such original precincts.

City election precincts.

Election of assessors.

Election of certain officers and submission of questions.

Exceptions.

Repeals.

SECTION 2. Said original section twenty, passed April 30, 1891, is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 31, 1892
178G

[House Bill No. 782.]

AN ACT

To reënact and amend sections 2948 and 2963 of the Revised Statutes of Ohio, repealed April 30, 1891.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 2948 and 2963, repealed April 30, 1891, be reënacted and amended so as to read as follows: Conduct of elections:

Sec. 2948. All ballots for all elections other than those conducted under the act passed April 30, 1891 (O. L., 88, p. 449), shall consist of plain white paper, with the name or names written, or of plain white news printing paper, not more than two and one-half nor less than two and one-fourth inches wide, with the name or names printed in black ink, and with a blank space of not less than one-fifth of an inch lengthwise of the ticket, after one name for each office; or in case two or more persons are to be elected to the same office, like spaces after as many of the names as there are persons to be elected to that office, and without any mark or device by which one ticket may be distinguished from another, except the words at the head of each; and it shall be unlawful to print, for distribution at the polls, to furnish to any elector, or to vote, any ballot other than such as herein prescribed; provided, however, that any name may be corrected, erased, or written in pencil mark or ink. How ballots to be written or printed; exceptions.

Sec. 2963. Judges and clerks of elections other than those conducted under the act passed April 30, 1891 (O. L., 88, p. 449), shall each receive two dollars per election for their services at every election, to be paid by the township, municipality or school district, as the case may be. Fees of judges and clerks; exceptions.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 31, 1892.
179G

[House Bill No. 783.]

AN ACT

To provide for the making of returns, canvassing the vote and certifying the election of certain officers elected at April and special elections.

Returns, abstracts and certificates of election of certain officers elected at April or special elections.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That whenever any judge of any court of this state, representative of the general assembly, or other district or county officer, is to be elected at any April or special election, the judges of such election shall make return of the poll-books of such election to the clerk of the court of common pleas of their respective counties, as provided in section 2961 of the Revised Statutes of Ohio, and such clerk shall, on the sixth day, or sooner in case the returns are all made, taking to his assistance two justices of the peace of the county, proceed to open such returns made to his office and make an abstract of the votes cast for such officers, and make and deliver to the person or persons elected certificates of their election.

When two or more counties joined in same circuit or district.

Provided, however, if such officer is to be elected by two or more counties joined in the same circuit or district, then the clerk or clerks of the court of common pleas of the county or counties comprising such circuit or district, excepting the clerk of the court of the county in such circuit or district having the largest population, shall, within eight days after such election, transmit by mail, to the clerk of the court of common pleas of the county in such circuit or district having the largest population, an abstract showing the number of votes given in each precinct in their respective counties for each person who received votes for any office to be filled by such circuit or district; such abstract shall be attested by the clerk under the seal of the court and enclosed in an envelope, so endorsed as to show distinctly that it is an abstract of votes, for what office or offices, and from what county the same was transmitted; and such abstract shall be canvassed by the clerk to whom transmitted, who shall incorporate the same in an abstract with returns from the precincts of his county for such office or officers, and make and transmit to the person or persons elected certificates of their election.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.

ANDREW L. HARRIS,
President of the Senate.

Passed March 31, 1892.
180G

[House Bill No. 229.]

AN ACT

To amend section 4654 of the Revised Statutes of Ohio, authorizing county commissioners by resurvey or civil action to establish boundaries of highways.

Roads:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 4654 of the Revised Statutes shall be and the same is hereby amended so as to read as follows:

To find the line of a road.

Sec. 4654. When the place of beginning or true course of any state or county road, or any public highway not within the limits of any municipal corporation shall be uncertain by reason of the removal of any monument or marked tree, by which such road was originally designated, or from any other cause, the county commissioners of the proper county may appoint three disinterested landholders of the county to review and find the line of the road, and if they deem it necessary, a competent surveyor to survey the same, and the reviewers and surveyor, after taking the oath required in section forty-six hundred and forty-six (4646), shall view and survey said road, and the same correctly mark throughout as in case of new roads and shall make a return of the survey and plat of the road to the commissioners, who shall cause the same to be recorded as in other cases. When such viewers are unable to ascertain the boundary lines of such road or highway with certainty, the commissioners of the county may commence and prosecute a civil action in the courts of justice against any or all owners of land that abut upon said highway, to ascertain and have the boundaries of such road or highway judicially established in one action, and thenceforth such road or highway so surveyed, or its boundaries judicially established as aforesaid, shall to the full limits of such boundaries be a public highway.

Establishment by judicial proceedings.

Repeals.

SECTION 2. That the original section 4654 of the Revised Statutes shall be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 6, 1892.
181G

[House Bill No. 417.]

AN ACT

Relating to plans, specifications, construction and completion of waterworks in cities of the first grade of the first class.

Improvement of water-works (Cincinnati).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That whenever in any city of the first grade of the

first class, the board having charge of the water-works of such city shall, by a resolution passed by a majority of the members thereof, declare the necessity for a large and material improvement in the water-works of such city, and that it is expedient to provide additional improvements and equipments for such water-works, there shall be a board of trustees to be known as the commissioners of the water-works, composed of four citizens thereof, not more than two of whom shall belong to the same political party, to be appointed by the mayor of such city. Upon the passage of such resolution it shall be certified by said board to the mayor, and it shall be his duty thereupon to make such appointments. All vacancies in the office of commissioner shall be filled in the same manner as the original appointment, but so that not more than two of such commissioners when such vacancies shall have been filled, shall belong to the same political party.

Commissioners of the water-works: appointment and qualifications.

Vacancies.

Bond.

SECTION 2. Each of said commissioners shall enter into bond to the city, with at least three sureties to the satisfaction of the mayor as to the sufficiency and of the corporation counsel as to form in the sum of one hundred thousand ($100,000) dollars conditioned for the faithful discharge of his duties, and the bonds so taken shall be deposited with the treasurer of the corporation for safe keeping.

Organization; president; quorum.

Meetings.

Account of receipts and disbursements; annual report

Compensation.

SECTION 3. Said commissioners shall form a board, and shall choose one of their number president, and a majority of said board shall constitute a quorum to transact business. Said board shall hold regular meetings at such times and places as it may agree upon, and special meetings under such regulations as it may prescribe; and shall cause to be kept a full and accurate account of its receipts and disbursements, and make a report of the same to the city auditor or other auditing officer, if there be no auditor, annually. Each of the commissioners whose appointment is herein provided for, shall receive as compensation for his services four thousand ($4,000) dollars per annum, which shall be paid out of the fund hereinafter created for preparing plans for constructing and completing such water-works. No member of said board or person holding appointment under said board, shall be interested, directly or indirectly, in any contract concerning such water-works or equipments. Any member of said board may be removed for misfeasance, malfeasance or nonfeasance in the manner provided for the removal of certain officers in chapter 3, of division 4, of title 12, of the Revised Statutes of Ohio, and the acts that may be passed amendatory and supplementary thereto.

Interest in contracts.

Removals.

Surveys, plans and investigations.

SECTION 4. Said commissioners shall, as soon as practicable after the organization of their board, take up and consider the surveys and plans, if any, theretofore made or devised for water supply, and shall cause such additional investigations, surveys and plans to be made therefor, either within or without the limits of the city or state, as they may deem advisable, to the end that they may properly determine the best and most desirable way of supplying the city with pure and abundant water.

SECTION 5. As soon as practicable after the surveys and plans are completed, the said board of commissioners shall determine the best and most economical method of procuring such water-supply, and shall thereupon proceed to locate and construct new water-works. Provided, however, that no part of any such new water-works shall be located or constructed without the limits of this state except where it is intended to draw water from or beneath the bed of any lake or watercourse bordering upon this state, and then only wells, tunnels, intakes, pipes and conduits, all of which shall be constructed or laid beneath the waters of, or on land ordinarily overflowed annually by such lake or watercourse.

Location and construction of new water-works.

SECTION 6. In exercising the power conferred by this act, and carrying out the object of their appointment, the board shall be governed by the following provisions:

Provisions governing board of commissioners:

FIRST. Said board shall have power, by a vote of a majority of all the members, to make contracts, employ such superintendents, legal counsel, engineers, clerks, laborers and other employes as it may deem necessary for the execution of its duties and to fix their compensation; and any of such persons may be removed by a majority of said board at any time. No contract which said board shall enter into, or modification thereof, shall be valid until assented to at a regular or special meeting and concurred in by a majority of all the members, and such assent entered on the minutes of its proceedings.

Contracts; employes.

SECOND. No money shall be expended on account of plans, specifications, drawings, construction or equipment of the water-works herein provided for, or any other expense connected therewith, unless first authorized by said board, and upon vouchers signed by its president and clerk, upon the auditor, or other auditing officer, if there be no auditor, of such city, to be paid by the treasurer of such city, upon the warrant of the auditor or other auditing officer, if there be no auditor, out of the funds hereinafter provided. Said members shall, before entering into any contract, cause plans and specifications, detailed drawings and forms of bids to be prepared, and careful estimate of cost to be made; and when adopted by them they may, in their discretion, cause the plans and drawings to be multiplied and printed, by photographing, lithographing or other suitable process, and the specifications and forms of bids, contracts and bonds to be prepared, and have the same printed for distribution among the bidders.

Expenditures.

Plans, specifications, detailed drawings, forms of bids, and estimate of cost.

THIRD. All contracts shall be made in writing in the name of such city and signed by the president and clerk of said board and by the contractor. Whenever it becomes necessary, in the opinion of said board, in the prosecution of said work, to make alterations or modifications in any contract, such alterations or modifications shall only be made by order of the board; and such order shall be of no effect until the price to be paid for the work or materials, under such altered or modified contract, has been agreed upon in writing, and signed by the contractor and a majority of the members of said board; and no contractor shall be allowed or recover

Execution of contract.

Alterations or modifications.

anything for work or materials caused by any alteration or modification, unless an order is made or agreement signed as aforesaid; nor shall he in any case be allowed or recover more for such work or materials than said agreed price; and if, when the board has ordered an alteration or modification of contract, the contractor and the board can not agree upon the price to be paid for work or materials, under such altered or modified contract, they shall submit the matter to arbitration, the board choosing one arbitrator and the contractor one, and these two a third; and the award of such arbitrators, or a majority of them, as to the price to be paid, shall be made in writing and entered on the minutes of said board, and when so entered shall be binding on both parties.

When contract to be void.

FOURTH. If a contract, agreement or order, made or authorized by said board be found to violate any of the provisions of this act, it shall at once become void and of no effect; and no money shall be paid or recovered for service rendered or materials furnished thereunder.

Advertisement for bids.

FIFTH. Said board shall not enter into any contract for work in the construction and completion of said water-works system without first causing thirty days' notice to be given in one or more newspapers of general circulation in such city, that sealed proposals will be received for doing the work or furnishing the materials; provided, that said board may procure plans therefor in the manner indicated in section 4 of this act, and shall not be required to advertise for bids for making or printing the drawings, specifications and forms of bids, contracts and bonds.

Patented material, process or device.

SIXTH. In all cases of competitive bidding, whether in the construction or completion of, or furnishing equipments for such water-works system, no bid shall be received or considered by said board which covers a patented material, process or device, until the person who owns or controls the patent or has a contract for the exclusive use of such patented material, process or device, has entered into a written agreement with the said board for the benefit of all bidders, whereby the lowest price shall be fixed at which the owner of such patent or patented articles will furnish to said board, or at which he will furnish to all bidders such patented material, process or device.

Filing and opening of bids.

SEVENTH. All bids shall be inclosed in a sealed envelope and deposited with the clerk of said board; and such sealed envelopes shall have endorsed thereon the nature of the same and the name of the bidder; and all bids shall be opened at a regular meeting of the board, and at an hour to be indicated in said notice. Each bid shall be accompanied with a bond in a sum to be fixed by said board, signed by sufficient sureties, for the acceptance of the contract, if awarded by the board; or the bidder may deposit with the board, in lieu of such bond, a certified check or bank certificate of deposit, payable to the order of said board; or, cash equal in amount to the bond as above required; and, in case of refusal by the bidder to whom the award is made to enter into contract according to his bid, within such reasonable

Bond or security to accompany each bid.

time as the board may determine, said bond shall be put in suit, and the amount collected paid into the fund hereinafter provided; or, if a check, or certificate of deposit, or cash is deposited, the amount shall be immediately paid into such fund.

EIGHTH. Said board shall enter into contract with the lowest and best bidder, upon his giving bond to such city, with sureties as the board shall approve, that he will perform the work and furnish the materials in accordance with his contract, and that the sureties agree in advance to such modifications and alterations as may be made by said board and the contractor, within the limits of the penal sum mentioned in the bond; and on the failure of such bidder, within a reasonable time, to be fixed by the board, to enter into bond with the sureties before provided, a contract may be made with the next lowest and best bidder, and so on, until a contract is effected with a contractor giving bond as aforesaid; provided, that the board may let the work in whole or in parts, and may receive bids for labor and material separately, as it may deem best, and may reject any and all bids. Should a contractor fail, from any cause, to complete the work contracted for by him, said board of commissioners shall relet the unfinished part of said work or complete the same by days' work or otherwise, as may be for the best interests of the city in the judgment of said board, and shall charge the cost of completion to the contractor.

Award of contracts.

SECTION 7. To provide a fund to pay the cost and expense of the plans, specifications, construction, completion, and all other costs and expenses of such water works system, under the provisions of this act, the said board of commissioners of the water-works is hereby authorized to borrow from time to time, as money may be needed in behalf of such city as a fund for that purpose, an amount not to exceed the sum of six millions of dollars ($6,000,000), and to issue bonds therefor in the name of said city, under the corporate seal thereof; but no money shall be expended, for salaries or otherwise, nor shall any contracts, or obligations be entered into until the election hereinafter provided for has been held, and resulting in favor of the proposed improvement, nor shall any appointment of any kind be made, except that of the commissioners hereinbefore provided for, who shall be named (15) fifteen days prior to said election; provided, that these bonds shall bear such interest, and be sold after such advertisement, for such prices, and be payable at such time and places, and in such amounts as may be approved by the trustees of the sinking fund of said city; or if there be no trustees of the sinking fund, then by the board, or officer or officers having charge of the sinking fund of such city. Such bonds shall be designated "water-works improvement bonds," and shall be signed by the president of said board of commissioners of water-works, and attested by the city auditor, or other auditing officer, if there be no auditor. Said bonds shall be secured by a mortgage upon the water-works property, then owned and to be acquired by such city,

Water-works improvement bonds.

Special election.

Additional tax levy.

and by the pledge of the faith of said city, and the net income of its water-works, and a tax, which it shall be the duty of the legislative body of such city to levy annually upon the taxable property of said city, and certify the same to the county auditor on requisition of the trustees of the sinking fund of said city, or if there be no trustees of the sinking fund, then by the board, or officer or officers of such city having charge of the sinking fund of such city, sufficient with said net income to pay the interest on said bonds, and to provide a fund which, together with the fund hereinafter provided, shall be sufficient to create a sinking fund for the final redemption of such bonds; and the tax above provided shall be in addition to the aggregate specified in section 2689 of the Revised Statutes.

Payment of expenses out of water-works fund.

Provided, further, that until the issue and sale of said bonds, all expenses that may be incurred by said commissioners shall be paid out of the water-works fund of said city by the board having in charge the water-works of said city, upon vouchers drawn and approved by said board of commissioners, but all such sums so paid shall be reimbursed to the said water-works fund out of the proceeds of the sale of said bonds.

Question to be submitted to voters.

And provided, further, that no money shall be borrowed on bonds issued as herein provided, until after the question of constructing said water works shall be submitted to a vote of the qualified electors of said city, at a special election to be ordered by the mayor thereof, of which twenty-five days' notice shall be given in at least two daily newspapers of said city, fixing the day of election, and said election shall be by ballot, and those favoring the construction of water-works shall have printed or written on their ballots "Water-works—Yes" and those opposing the construction of said water-works, shall have printed or written on their ballots "Water-works—No." Said election to be in all other respects according to the requirements of law, in so far as they are applicable governing the election of public officers; and provided further, that a majority of said electors voting at said election shall decide in favor of said water-works. The result of said election shall be certified by the board of elections to the mayor of said city, who shall thereupon forthwith officially announce the same and make official record thereof in his office.

Water-works improvement fund.

SECTION 8. The moneys arising from the sale of said bonds shall be deposited with the city treasurer as a fund to the credit of said commissioners of the water-works, and shall be called the "water-works improvement fund;" and of this fund said commissioners shall be sole trustees and shall have full control and disbursement of the same. No part of said fund shall be diverted to any other use or purpose than that specified in this act. All warrants drawn upon the auditor or other auditing officer, if there be no auditor, for payment out of said fund shall designate on their face, "for reimbursement" (as provided for in section 7), "for plans," "for specifications," "for construction," "for equipment," according as they are drawn for the one purpose or the

other, and a careful account of the condition of said fund shall be separately kept by the auditor of said city, or other auditing officer if there be no auditor.

Net revenues of water-works.

SECTION 9. For the purpose of providing further a sinking fund for the final redemption of said bonds, the board having charge and control of the operations of the water-works of such city, and the collection of the revenue therefrom, shall make semi-annual payments from the net revenues of such water-works to the sinking fund, commencing the fifth year after the appointment of the trustees provided for in section one of this act, of not less than fifty thousand dollars ($50,000) per annum, until said bonds are paid, or an adequate fund provided for the final redemption of the same; and said yearly sums, together with their earnings and other payments hereinafter provided for, shall be invested in accordance with law by the sinking fund trustees of such city; or if there be no trustees of the sinking fund, then by the board or officer or officers having charge of the sinking fund of such city, solely for the benefit of the sinking fund for the final redemption of said bonds.

General powers of board of commissioners.

SECTION 10. Said board shall have power to acquire by purchase and the proceedings hereinafter mentioned, and hold and possess on behalf of such city, all real and personal property and franchises in this state necessary for the proper construction and completion of such water-works system, and whenever, for the construction or completion of any part or parts of such system of water-works, it shall be necessary to use or occupy any street or other public way, space, park or ground, or any part thereof, belonging to such city, said commissioners may take and use or occupy the same; and whenever, for like reason, it shall be necessary, in the opinion of said board, to appropriate land for the foundations of abutments or piers across any stream within this state, [or] for any other purpose to appropriate any land, turnpike, highway or franchise of any description, or any easement or interest in any of the same, either within or without the limits of such city, said board is authorized to commence and conduct, in the name and behalf of such city, proceedings therefor under and according to chapter 3, division 7, title 12 of the Revised Statutes, and the acts amendatory and supplementary thereto. And should it be proposed by the plan adopted by said board to draw water from or beneath the bed of any lake or watercourse bordering upon this state, then said board shall have power also to acquire by purchase or such other proceedings as may be authorized by law, all real estate without this state necessary for the proper construction of any wells, tunnels, intakes, pipes and conduits, in accordance with said plans, and to hold and possess the same on behalf of such city and in its name so far as practicable, and also all personal property and franchises appropriate thereto; provided, however, that all such wells, tunnels, intakes, pipes and conduits shall be constructed or laid beneath the water of, or on land ordinarily overflowed annually by such lake or watercourse.

Individual liability of members of board of commissioners.

SECTION 11. No member of said board of commissioners shall be individually responsible to any contractor or employe upon any contract or employment made in pursuance of this act, nor to any person upon any claim occasioned by any act or default of any person contracted with or employed in pursuance of this act.

Proceedings upon completion of improvements.

SECTION 12. Whenever any portion of said improvements is completed, control of the same shall be surrendered by said board of commissioners to the board having charge of the water-works of said city; provided, that in the judgment of said board of commissioners such surrender can be made without impeding or embarrassing the completion of other portions of said improvements; and thereupon such board to which such surrender has been made shall have the power, after giving thirty days' notice by advertisement in one or more newspapers of general circulation in such city, to sell on sealed proposals, to the highest and best bidder, all property, or any part thereof, both real and personal, occupied or used for water-works purposes in such city, which may not be further required for such purposes, and the proceeds thereof shall be placed to the credit of the sinking fund of such city, to be invested in the same manner as hereinbefore provided, for the final redemption of the bonds issued under the provisions of this act.

Limit of term of commissioners and employes.

Unexpended fund.

SECTION 13. Upon the completion of any water-works system provided for in this act, the term of office of the commissioners, and the employment of their several employes, shall cease; and any unexpended balance of the fund aforesaid shall be placed and kept to the credit of the sinking fund provided for by this act.

SECTION 14. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed April 6, 1892.
182G

[House Bill No 565.]

AN ACT

To authorize cities of the first grade of the first class to guarantee an income equal to the legal rate of interest upon gifts, bequests or endowments for music in the public parks.

Income upon gifts, bequests or endowments for music in public parks (Cincinnati).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That cities of the first grade of the first class be and they are hereby authorized by ordinance duly passed, to guarantee a perpetual income equal to the interest at the legal rate upon any sum of money given to any such city as a gift, bequest or endowment for the purpose of providing music in any of the public parks of such city; and such city is further

authorized to provide out of its general revenues such sums as may be necessary to meet any deficiency in the income from the investments of said fund in order to make said income equal to the interest on said fund at the legal rate of interest.

SECTION 2 This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 6, 1892.
183G

[House Bill No. 649.]

AN ACT

To authorize certain villages to issue bonds and levy a tax, the money arising from the same to be used for the purpose of general improvement and benefit thereof.

Money for general improvements (Hamden).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of any municipal corporation which by the last federal census had, and those which may hereafter have as ascertained by any federal census, a population of not less than six hundred and twenty (620) nor more than six hundred and twenty-five (625) is hereby authorized to borrow not to exceed four thousand dollars ($4,000.00), to be applied for the purpose of the general improvement and benefit of such village.

Issue and sale of bonds.

SECTION 2. That for the purpose of meeting the expenses aforesaid, the council of such village is authorized to issue bonds, to be signed by the mayor and attested by the clerk of said village, in denominations of not less than two hundred dollars ($200.00) and not more than five hundred dollars ($500.00), bearing interest at a rate not to exceed six per centum per annum, payable semi-annually; said bonds to be payable at such time or times, not exceeding twenty years from the respective dates thereof, as said council may determine, which said bonds shall not be sold for less than their par value and accrued interest, and to be sold without compensation or commission, and said bonds may, in the discretion of said council, have interest coupons attached, and said bonds and interest shall be payable at such village.

Additional tax levy.

SECTION 3. That for the purpose of paying said bonds and the interest thereon as the same shall become due, the said council is hereby authorized and empowered to levy on all the taxable property of such village a tax for such an amount annually, not exceeding two mills, in addition to taxes now authorized by law to be levied, which levy shall be placed on the duplicate by the auditor of said county, collected as other taxes, and when collected paid over to the treasurer of said village.

Question to be submitted to voters.

SECTION 4. That before any contract shall be made, indebtedness contracted or bonds issued, the question shall be submitted to a vote of the qualified electors of such village at a municipal or general election, or at a special election that may be called for that purpose by said council, of which election ten days' notice shall be given by the mayor by publication in two newspapers of opposite politics and of general circulation in said village; and if two-thirds of the votes cast at such election be in favor of issuing said bonds, then the council of said village shall be authorized to issue said bonds and levy said tax as herein provided. Those voting in favor of the issue of said bonds shall have written or printed on their ballots the words "For the issue of bonds—Yes," and those voting against the issue of said bonds shall have written or printed on their ballots the words "For the issue of bonds—No."

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.

ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed April 6, 1892.
184G

[House Bill No. 801.]

AN ACT

To authorize the councils of certain villages to borrow money to pay for general improvements, and issue bonds.

Street improvement and light bonds (Mt. Gilead).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of any incorporated village, which at the federal census of 1890 had a population of not less than 1,320 and not more than 1,340, be and the said council is hereby authorized to borrow money, not to exceed twenty thousand dollars ($20,000), for the purpose of making permanent street improvements and lighting purposes in said village, and said council is authorized to issue bonds of said village therefor, the same to bear interest at a rate not exceeding six per cent. per annum, payable semi-annually, and to be of such denominations, and to be issued and mature at such times as the council shall determine, not exceeding twenty years. They shall be signed by the mayor of said village, and countersigned by the village clerk who shall keep a complete record of the same.

Levy of tax.

SECTION 2. Said bonds shall be issued and sold in anticipation of the levy of a tax, on all the taxable property of the said village, to be levied by the council thereof until the maturity of said bonds and the same have been fully paid. The tax so levied to form a separate fund to be known as "the street improvement and light fund." Said fund shall be used exclusively for the payment of said bonds and interest thereon.

SECTION 3. Before issuing said bonds herein provided, the said council shall submit the question of issuing the same to the qualified electors of said village, at some general or special election as the council may by resolution determine, and in either case giving notice thereof, at least ten days previous thereto, by publication in two newspapers published in and of general circulation in said village. The tickets used at said election shall have printed or written thereon the words, "Issue of bonds for street and light improvements —Yes," "Issue of bonds for street and light improvements — No." If a majority of those voting on said proposition, shall be in favor of issuing said bonds, then, and then only, shall said council issue the bonds herein provided.

Question to be submitted to voters.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 6, 1892.
185G

[House Bill No. 245.]

AN ACT

To amend section 7275 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section seven thousand two hundred and seventy-five (7275) be and the same is hereby amended so as to read as follows:

Trial and proceedings thereon:

Sec. 7275. That jurors summoned as provided by sections seventy-two hundred and sixty-seven, seventy-two hundred and sixty-eight and seventy-two hundred and sixty-nine, or such of them as are not set aside on challenge, together with so many of the bystanders having the qualifications aforesaid as will make up the number of twelve, or, if the whole array be set aside, twelve of such bystanders having the qualifications aforesaid, as may not be set aside on challenge, shall be a lawful jury for the trial of the prisoner charged with an offense the punishment of which is capital; provided that either party may demand and have a special venire to fill the panel as provided in section fifty-one hundred and seventy-three. And provided further, that after a cause has been assigned for trial and a jury for the trial of said cause has been drawn as herein provided, and the cause for any reason shall be continued to another term of court, the jury so drawn shall be discharged, and a new jury drawn, as herein provided for the trial of said cause.

What shall be a lawful jury for trial of a person charged with capital offense.

Continuance of trial.

Repeals, etc.

SECTION 2. The said original section 7275 be and the same is hereby repealed; and this act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed April 6, 1892.
186G

[House Bill No. 366.]

AN ACT

To amend section 848 of the Revised Statutes of Ohio.

County commissioners:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 848 of the Revised Statutes be amended so as to read as follows:

Annual organization of board.

Sec. 848. The board of commissioners shall organize annually on the first Monday of January, and the commissioner whose term first expires shall be the president of the board, and shall preside at all regular and special sessions of the board.

Repeals.

SECTION 2. That section 848 of the Revised Statutes is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed April 6, 1892.
187G

[House Bill No. 580.]

AN ACT

To provide for the keeping of a more accurate and complete record of maps and transfers of property in counties containing a city of the second grade of the first class.

Maps showing divisions, subdivisions and allotments of land (Cuyahoga).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in counties containing a city of the second grade of the first class, it shall be the duty of the board of county commissioners to provide for correcting, bringing down to date and keeping up the decennial maps of said county, and making tracing maps from the same, which shall show the divisions, subdivisions, and allotments of all the land in the county, which tracing maps shall be for the use of the boards of equalization and the auditor of said county,

and shall be kept in his office, and shall be made and bound ready for use by the first day of April, A. D. 1893; and to employ an expert draughtsman at an annual salary not exceeding $1,500, who shall be under the control of the county auditor. Draughtsman.

SECTION 2. It shall be the duty of said draughtsman to correct such original and tracing maps from time to time as the same shall be necessary; to enter thereon all new divisions, subdivisions and allotments of land in said county, whether made by the sale of parts of parcels of land, the subdivision or allotment of the same as provided by law or otherwise; to mark thereon the location of all new buildings and the materials, whether stone, brick or wood, used in their construction; to note all transfers of property, showing the lot or parcel of land transferred; the name of the transferee and the date of the transfer; to enter upon the transfer books in the office of the county auditor, a short description of lots and parcels of land offered for transfer; and to examine all deeds before they are entered for transfer, for the purpose of determining whether they contain a correct description of the lot or parcel of land intended to be conveyed, and to reject any and all deeds in which the description of the property is not correct, or the corners and lines are determined and fixed by perishable or uncertain objects or monuments, until such descriptions are carefully and accurately made and the corners and lines fixed by permanent monuments. Duties of draughtsman.

SECTION 3. In all cases where deeds are offered for transfer, conveying a part or parts of a tract or parcel of land that is valued for taxation as a whole, the person offering such deed for transfer shall file with the county auditor, a written agreement signed by the grantor and grantees therein, fixing the part of such valuation that shall be assessed and charged against the part or parts of such tract or parcel of land so sold and conveyed, or authorizing some person named in such agreement to make such division of the valuation as aforesaid; and the county auditor shall not be required to accept such deed for transfer until such agreement is filed with him. Agreement fixing valuation in case of certain transfers.

SECTION 4 This act shall take effect from and after the second Monday in April, A. D. 1892.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.

ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed April 6, 1892.
188G

[House Bill No. 614.]

AN ACT

To amend sections 5189*a* and 5189*b* of the Revised Statutes of Ohio, as amended April 26, 1890.

Summoning jury, etc.:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 5189*a* and 5189*b* of the Revised Statutes of Ohio, as amended April 26, 1890, be amended so as to read as follows:

Jury wheel (Cuyahoga, Franklin, Hamilton, Lucas and Montgomery).

Sec. 5189*a*. The county commissioners of each county having a city of the first class, or the first or second grade of the second class, shall provide and place in the custody of the clerk of such county a wheel so constructed and arranged that by turning the same the pieces of paper hereinafter mentioned may be thoroughly mixed, and that the names upon such pieces of paper can not be read or seen until withdrawn from such wheel.

Commissioners of jurors: appointment.

Sec. 5189*b*. In any county containing a city of the first class, or the first or second grade of the second class, before the second Monday of May of each year, the judges of the court of common pleas and of the superior court in any county containing a city of the first grade of the first class, in joint session, and the judges of the court of common pleas in any county containing a city of the second or third grade of the first class, or of the first or second grade of the second class, shall appoint three freehold electors of such county, no one of whom shall be an attorney at law in practice in any of the courts, and not more than two of whom shall be of the same political party, who shall be commissioners of jurors for such county for one year and until their successors are appointed and qualified, and a record of such appointments shall be made upon the journal of each of said courts. Such commissioners shall, before entering upon the discharge of their duties, appear in said court of common pleas and take an oath of office as follows: "I do solemnly swear (or affirm) that I will honestly and faithfully discharge the duties of commissioner of jurors without fear or favor, and that I will consent to the selection of no person as juror whom I have been solicited to name as juror or whom I believe to be unfit for that position, or likely to render a partial verdict in any cause in which he may be called as juror. And this I do as I shall answer unto God," (or "and this I do under the pains and penalties of perjury"). On the second Monday of May in each year such commissioners shall meet in the office of the auditor of such county at ten o'clock in the forenoon, and shall there select such number of judicious and discreet persons, having the qualifications of electors, of such county, as the court may direct, to be selected as nearly as may be from the several wards and townships in proportion to their respective population; but no person shall be so selected who shall not be, in the judgment of all of said commissioners, competent in every respect to serve as a juror; that after said commissioners shall have first ascertained said wheel to be entirely

Qualifications.

Term.

Record of appointment.

Oath.

Selection of jurors.

empty, the names of the persons so selected, as aforesaid, shall be written by the county clerk on separate pieces of paper, which shall be put into said wheel and securely locked therein in the presence of said commissioners, and said commissioners shall also, at the same time, make and sign a certificate containing all of said names, which they shall certify to be the names of the persons selected at the time and place aforesaid, to serve as jurors for the ensuing year, and that they are the same names as those placed in said wheel, which said certificate shall be filed with said clerk. Said wheel shall be securely locked at all times, except when, by order of court, it shall be necessary to put names into it, and to draw them from it, in the manner herein provided; and said clerk shall be the custodian of said wheel and key. And if any person shall unlock or open said wheel, except by order of court, he shall be deemed guilty of a misdemeanor, and shall, on conviction thereof be fined not more than one thousand dollars nor less than five hundred dollars, and be imprisoned in the county jail not more than one year nor less than three months. If either of the commissioners mentioned in this section of this act shall be sick or absent from the county, the presiding judge of the court of common pleas may appoint some judicious and disinterested person to take the place of such commissioner in making the selection herein provided for; and the person so appointed shall be of the same political party as the commissioner whose place is to be filled; whenever it shall become necessary, said commissioners shall meet at such time and place as the court of common pleas may appoint, and shall there select such number of persons as the said court may by its order direct; and the names of such persons shall be selected, written and deposited in said wheel, and certified to as hereinbefore specified; but nothing herein contained shall abridge the right of any party to a struck jury as provided by law.

Certificate of persons selected.

Wheel to be locked, etc.

Custodian of wheel and key; penalty for unlawfully opening wheel.

Appointment when commissioner sick or absent.

Meetings of commissioners for selection of jurors.

Struck juries.

SECTION 2. That said sections 5189*a* and 5189*b* of the Revised Statutes, as amended April 26, 1890, be and the same are hereby repealed.

Repeals.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed April 6, 1892.
189G

[Senate Bill No. 7.]

AN ACT

To amend section 2715 of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2715 of the Revised Statutes, as amended

Sinking fund:

April 16, 1883, be and the same is hereby amended so as to read as follows:

Trustees of the sinking fund (Cincinnati, Columbus and Toledo).

Sec. 2715. In cities of the first and third grades of the first class, and of the first grade of the second class, there shall be a board designated as the trustees of the sinking fund, composed of five citizens thereof to be appointed by the superior court of any such city, if there be one in such city, and if there be none then by the court of common pleas of the county in which such city is located. Said trustees shall serve without compensation. In cities [in] which such board has not been organized the first appointment shall be one for the term of one year, one for two years, one for three years, one for four years, and one for five years; and all trustees thereafter appointed shall serve for five years, except in case of vacancy, which shall be filled by the court for the unexpired time.

Repeals.

SECTION 2. That said section 2715, as amended April 16, 1883, be and the same is hereby repealed.

SECTION 3. This act shall take effect and [be] in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed April 7, 1892.
190G

[Senate Bill No. 118.]

AN ACT

To reimburse A. W. Meeker for barns, sheds, hay and straw stacks destroyed by fire started by members of the first regiment of light artillery in August, 1890.

Appropriation for A. W. Meeker.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That there be and is hereby appropriated out of any money in the state treasury not otherwise appropriated the sum of five hundred dollars ($500.00), to reimburse A. W. Meeker, of Huron, Erie county, Ohio, for barns, sheds and stacks of straw and hay, purposely or accidentally set on fire by members of the first regiment of light artillery, O. N. G., while encamped at Sage's grove, in said township of Huron, Erie county, Ohio, in August, 1890, said amount to be paid on a voucher approved by the adjutant-general of the state of Ohio.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed April 7, 1892.
191G

[Senate Bill No. 233.]

AN ACT

To amend sections 1, 2, 9, 15 and 16 of an act entitled "An act to create a depositary commission in all cities of the second grade of the first class, and to establish a depositary for the funds of such cities and for other purposes," passed April 11, 1888, and section 7 of said act, as amended April 16, 1888, and sections 11, 13 and 14 of said act, as amended April 16, 1890, and section 12 of said act, as amended March 24, 1891.

Depositaries for public moneys:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 1, 2, 9, 15 and 16 of an act entitled "An act to create a depositary commission in all cities of the second grade of the first class, and to establish a depositary for the funds of such cities and for other purposes," passed April 11, 1888, and section 7 of said act, as amended April 16, 1888, and sections 11, 13 and 14 of said act, as amended April 16, 1890, and section 12 of said act, as amended March 24, 1891, be amended so as to read as follows:

Depositary for city and school funds (Cleveland).

SEC. 1. That the money belonging to each city of the second grade of the first class, and also the money belonging to the school district composed wholly or in part of the territory of such city, shall be deposited by the treasurers of the city and school district respectively, as hereinafter provided, in a bank situated within the boundaries of the city and school district to which the money belongs, and duly incorporated under the laws of this state or of the United States, to be designated in the manner hereinafter provided, as the depositary for such money, by a commission composed of the mayor and the corporation counsel of the city and the school director of the board of education of the school district and their successors in office, and to be known as the depositary commission.

Depositary commission.

Compensation.

Books and stationery.

President and secretary; meetings.

SEC. 2. The officers designated in the preceding section as constituting such depositary commission shall serve as members thereof and without compensation; but the commission shall be provided with necessary books and stationery at the joint expense of the city and school district; and the mayor shall be president and the school director of the board of education shall be secretary of the commission. The commission shall hold meetings on the first business day of each month and whenever called to meet by the president for a special purpose at the office of the mayor of the city, and shall keep a record of its proceedings and file all official papers received by it, which record and papers shall be open to the public inspection at any session of the commission; and a transcript of any entry in such record or a copy of any such paper, duly certified as such by the president and secretary, shall be received as evidence in any of the courts in this state.

Records and papers.

Certified copies.

When bank becomes depositary.

SEC. 7. The bank to which an award is made shall, upon the acceptance of such undertakings by the commission, become the depositary of the money aforesaid until the undertakings of its successor are accepted by the commission; but

Additional security.

Failure to give.

Temporary depositary.

Removal of funds.

the commission may require additional security from the bank at any time it deems the same necessary, in such sum as it shall designate; and if the bank refuse or neglect for the period of five days thereafter to give such additional security, the removal of the money therefrom forthwith may be ordered by the commission, and another bank designated to be the depositary thereof temporarily, at such rate of interest or without interest as the commission may determine. The order for such removal, or for any removal under the provisions of this act, shall be entered in the record of the proceedings of the commission; and a copy thereof, duly certified as such by the president and secretary of the commission, shall be transmitted to the city auditor and a like copy to the auditor of the board of education of the school district, and thereupon the city auditor shall issue his warrant for the withdrawal of the money of the city from the depositary, and the auditor of the board of education shall issue a warrant for such withdrawal of the money of the school district, and thereupon the city treasurer, as such, and as ex officio treasurer of the school funds, shall issue checks accordingly for the removal. If the money, in case of such removal, be deposited in a bank designated as a depositary temporarily, such bank shall, before the receipt by it of any of the money, enter into undertakings as required by preceding sections; but if no bank be so designated the money shall be disposed of as provided in section nine.

Security required of temporary depositary.

If no bank be designated.

When treasurer to act as custodian of funds.

Sec. 9. If at any time for any cause the commission be unable to secure a depositary as provided by preceding sections, the money shall remain in the custody of the treasurer aforesaid, if in his custody at the time and if in a depositary and its removal be ordered it shall be transferred to such treasurer, in the manner provided in section seven for removals, and in either case such treasurer shall be custodian as aforesaid until such time as a depositary is secured in accordance with the provisions of this act; and while he remains such custodian the money shall be paid out by him on warrants of the city auditor, and the warrants of the auditor of the board of education, respectively, which in such case shall not be in duplicate; but he shall keep such books and make such statements of receipts and payments, both as city treasurer and as treasurer ex officio as aforesaid, as [are] required by this act when the money is in the custody of a depositary, except that such books and statements shall show that the money is in his custody instead of being in the custody of a depositary.

Disbursements.

Books and statements.

Deposits by treasurer in depositary.

Sec. 11. The treasurer aforesaid shall, upon the receipt of a written notice, signed by the president and secretary of the commission, stating that a depositary has been selected in pursuance of the provisions of this act, and naming the bank selected, deposit in such depositary all the money in his custody belonging to the city, less a sum not exceeding two thousand dollars; and all the money in his custody belonging to the school district, less a sum not exceeding five hundred dollars, and thereafter he shall, at the close of each business day, deposit therein his total receipts for the day less

any sum he may have used in cashing the city auditor's tax abatement and refunding certificates issued by authority of the council; provided that at least once in each month he shall present such certificates to the city auditor, but money belonging to the city shall be deposited to the credit of the city, and money belonging to the school district shall be deposited to the credit of the school district. All money so deposited shall bear interest at a rate specified in the proposal of the bank selected as depositary, to be computed on daily balances, and on the thirtieth day of June and the thirty-first day of December each year, and at any time the accounts are closed the depositary shall place such interest on the money of the city to the credit of the city, and that on the money of the school district, to the credit of the district, and, in writing, notify the city auditor of the amount so credited to the city, which he shall credit to the interest fund of the city, and in like manner the depositary shall notify the auditor of the board of [the] education of the school district of the amount so credited to the district, which shall be credited to its several funds in proportion to the total amount of each deposited.

City and school funds to be kept separate.

Interest.

Sec. 12. The depositary shall, in writing, notify the city auditor, before noon of each business day, of the amount of deposits to the credit of the city made by the city treasurer the preceding business day, and shall [also] notify the auditor of the board of education, in like manner, and at the same time, of the amount of deposits to the credit of the school district made by the treasurer of the school funds the preceding business day; and the depositary shall pay out money deposited under the provisions of this act only on the checks of the city treasurer, as such, or as treasurer ex officio of the school funds, and no such check shall be valid or payable unless it have partly printed and partly written, on the same paper therewith, a duplicate of the warrant of the city auditor, or on [of] the warrant of the auditor of the board of education, as the case may be, authorizing the payment of the sum specified in the check. All such warrants and orders shall be drawn and signed in duplicate, one of which shall have printed upon its face the work "original" and the other shall have printed upon its face the word "duplicate," and shall be and remain unsevered from the check of such treasurer.

Daily notices by depositary.

Disbursements.

Warrants and orders.

Sec. 13. Before noon of each business day the city treasurer shall make to the city auditor a sworn statement, showing the total amount of tax abatement and refunding certificates cashed since the last presentation thereof to the city auditor, as provided for in section 11 of this act; and for the preceding business day, the total amount of money received by him, the total amount deposited in the depositary, the total amount of tax abatement or refunding certificates cashed, the total amount of cash remaining in his hands, the total amount of checks issued on the depositary, and the balance in [the] depositary, and he shall keep such books as shall enable him to make such statements; and as treasurer ex officio of the school funds he shall keep like books on behalf of the school district, and make a like statement before noon of each

Daily statements by treasurer.

Books required to be kept.

Payment of moneys to treasurer.

business day to the auditor of the board of education. All money paid to the city treasurer shall be paid upon the order or draft of the city auditor, and all money paid to the treasurer of the school funds shall be paid upon the order or draft of the auditor of the board of education; and receipts given therefor shall be in duplicate, one of which shall have printed upon its face the word "original" and the other the word "duplicate." The duplicates of receipts for money belonging to the city shall be filed with the city auditor, and the duplicates of receipts for money belonging to the school district shall be filed with the auditor of the board of education, and each duplicate shall be so filed on the day of its date; and each receipt shall state the amount received, from whom received and to what fund or funds the same is to be applied.

Duplicate receipts.

Payment of salaries.

Sec. 14. The salaries of all city officials and employes, and the monthly pay-rolls of the board of education of the school district shall be paid in cash; and to provide money for such payment, the city auditor, on behalf of the city, and the auditor of the board, on behalf of the school district, shall issue their respective warrants authorizing the issuance of checks upon the depositary for amounts, to be stated in the warrants respectively, sufficient to meet such demands; but all other warrants shall be drawn in favor of the persons to whom the amount[s] specified therein respectively are due, or in favor of their assigns.

Books to be kept by city auditor and auditor of board of education.

Sec. 15. The city auditor shall keep in his office books in which shall be entered the receipts of the city treasurer's office daily, to the credit of the city, as shown by the duplicate receipts returned to him by the treasurer, the amount of deposits by the treasurer daily with the depositary, to the credit of the city, as shown by the statements of the depositary, the daily aggregate amount of warrants issued by him, and the balance at the close of each business day to the credit of the city in the hands of the depositary; and the auditor of the board of education shall keep books in his office with like entries on behalf of the school district; and upon receipt by them respectively of the sworn statements provided for by section thirteen they shall certify thereon to the correctness of the same, if upon comparison with their respective books they be found to be correct, and shall file such statements in their offices respectively. If any such sworn statement to either be found incorrect he shall forthwith give notice of such fact to the treasurer, and unless the discrepancy be discovered and corrected immediately he shall forthwith notify the depositary commission thereof.

Certificate to accuracy of treasurer's statements.

Disposal of discrepancies.

City auditor and auditor of board of education to keep account of each fund; issue of warrants.

Monthly statements to depositary commission.

Sec. 16. The city auditor, and the auditor of the board of education, shall each keep in his office books which shall show the balance daily to the credit of each fund of which he keeps an account, and shall issue no warrant payable from any such fund unless there is money belonging thereto for the payment of the warrant in full; and on the first business day of each month they shall each prepare and submit to the depositary commission a sworn statement for the preceding month, showing the total amount of money received into and paid [out] of each fund of which they keep accounts, respect-

ively, the balance to the credit of each, and also the total balance of money to the credit of the city and the school district, respectively, in the custody of the depositary, which statement shall be placed on file by the commission, and a copy of the statement made by the city auditor, duly certified as such by the commission, shall be transmitted to the council of the city; and a like copy of the statement made by the auditor of the board of education aforesaid shall be transmitted to the school council of the board of education and each shall be read in open session at the next meeting of the council to which it is transmitted.

Transmission of copies of such statements.

SECTION 2. Said original sections 1, 2, 9, 15, and 16, and section 7 of said act, as amended April 16, 1888, and said sections 11, 13 and 14, as amended April 16, 1890, and said section 12, as amended March 24, 1891, are hereby repealed; and this act shall take effect and be in force from and after its passage.

Repeals, etc.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed April 7, 1892.
192G

[Senate Bill No. 270.]

AN ACT

To amend an act entitled "An act to provide for competent and non-partisan public library boards in cities of the second class, second grade," passed March 21, 1887 (session laws of Ohio, vol. 84, p. 171).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That an act entitled "An act to provide for competent and non-partisan public library boards in cities of the second class, second grade," passed March 21, 1887 (session laws of Ohio, vol 84, p 171), be and the same is hereby amended so as to read as follows:

Public library:

Sec. 1. In any city of the second grade of the second class the city board of education may elect by ballot, a special board of six competent persons, residents and electors of said city or school district, to be called the library board, which board shall have the sole custody, control and management of the public library of such city and of any reading rooms, branch libraries or library stations by said library board established in connection with such public library

Dayton library board: election and qualifications of members.

Sec 2. The six members of said library board shall be selected equally from the two political parties having the largest representation in the city board of education and shall be elected as follows: Two for a term of one year, two for a term of two years and two for a term of three years, one member from each of said political parties to be elected for each of said several terms; and at the end of the

Political composition of board.

Terms of members.

first year and of each year thereafter, two members of said library board, one from each of said political parties, shall be elected, by ballot, by said board of education for the term of three years. It shall require the affirmative vote of a majority of all the members elected to said board of education to elect the members of said library board.

Vote required to elect members.

Powers and duties of board.

Sec. 3. Said library board shall have power over and the exclusive control of the library fund hereinafter provided for, and of the expenditure of all moneys collected to the credit thereof. They shall have power to establish in said city reading rooms, branch libraries and library stations in connection with such public library, and to lease and furnish such rooms, buildings or parts thereof as are required for such purposes, and to pay all necessary expenses connected therewith. They shall have power and it shall be their duty to purchase and pay for all books, periodicals, magazines and other literature, and supplies necessary, in their judgment, for said public library, reading rooms, branch libraries and library stations, and to incur the necessary expenditures for the encouragement and advancement of the best use of such public library, reading rooms, branches and stations, by the public; all of such purchases, payments and expenditures to be made out of said library fund hereinafter provided for. They shall have power and it shall be their duty to employ a librarian, assistant librarians, janitors and other necessary assistants for such public library, reading rooms, branches and stations, to fix the compensation of persons so employed and to pay same out of said library fund. Said library board may fix the term of any such persons employed by them for any period not to exceed one year.

Expenses of library for ensuing year.

Sec. 4. Said library board shall, annually, prior to the annual levy of taxes made by the city board of education, report and certify to such city board of education a statement of the amount by said library board deemed necessary for the expenses and expenditures of such library board for the ensuing fiscal year; and said city board of education shall annually levy a tax for such library purposes and for the use of such library board for such purposes for such ensuing year to the full amount so reported and certified by said library board; provided, however, that the amount so levied shall not exceed the amount hereinafter authorized to be levied for such purposes. The fiscal year of said library board shall be the same as that of the board of education.

Annual tax for library fund

Sec. 5. The board of education of such city wherein a library board exists under the act to which this act is amendatory or shall hereafter be elected under this act, shall have the power and it shall be the duty of such board of education to levy annually for such public library purposes a tax not exceeding three-tenths of one mill on the dollar of the city valuation, to be called the library fund, which levy shall be certified by said board of education to the county auditor of the county in which said city is situate, within the time and in the manner fixed for the certifying of other levies made by said board of education; and which levy shall be by said

auditor placed on the tax duplicate of the county and collected as other taxes. Such levy for library purposes shall not be a part of the general levy authorized to be made by such board of education for school purposes. All moneys collected for such library fund shall be deposited in the county treasury to the credit of said fund and shall be kept separate and apart from other funds, and the county treasurer shall be the treasurer of said fund; and such county treasurer shall pay out said fund upon orders drawn thereupon and to him directed by said library board or by its proper officers duly authorized by said library board. Any part of said fund unexpended during any year shall remain to the credit of said library fund.

Custodian of such fund.

Disbursements.

Unexpended part of fund.

Sec. 6. Said library board shall, immediately after their election, meet and organize by the election of a president, a secretary and other necessary officers from their number, and such election shall be held annually thereafter. Said board shall make and adopt such by-laws, rules and regulations for their own government and guidance and for the government and guidance of the public library, reading rooms, branch libraries, and stations, and of the employes of said board as may be expedient and not inconsistent with this act, and said board shall, by their by-laws, designate the officers authorized to draw orders upon said library fund. Any public library now established in any such city and which is maintained and in operation under and by virtue of the provisions of the act to which this act is amendatory, and the existing library board of such city and the officers thereof, shall be governed by the provisions of this act; and such library board shall succeed to and be vested with all the rights, powers and privileges, and charged with all the duties herein granted or imposed; and the members of such existing library board elected thereto by the board of education prior to the taking effect of this act shall continue as such until the expiration of their present terms, and their successors shall be elected pursuant to the provisions hereof. The present officers of such existing library board shall continue in office until the expiration of their present terms as such officers or until a vacancy occurs therein prior to such expiration, when their successors shall be elected pursuant to the provisions hereof. Where such existing library board has heretofore reported to such board of education their estimate of the expenses of such library for the current year, pursuant to the provisions of the act to which this act is amendatory, such board of education shall forthwith, upon the taking effect of this act, set apart and pay over to the said county treasurer as the treasurer of such library fund the unexpended balance of the appropriation heretofore made by such board of education for such library expenses for the current year, which balance shall become and constitute a part of said library fund hereinbefore provided for and shall be expended by said library board for the maintenance, management and expenses of such public library, reading rooms, branch libraries and library stations, for the remainder of such current year.

Provisions governing board.

Repeals.

SECTION 2. That the said original act passed March 21, 1887, be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed April 7, 1892.
193G

[House Bill No. 128.]

AN ACT

To provide for the sale of section number thirty-six (36) township number three (3) north of range number one (1) east in Paulding county, swamp lands, and pay $6,150 of the proceeds to Paulding county to reimburse the county for draining said land and balance to the state to the credit of Miami and Erie canal fund, and supplementary to the Revised Statutes of Ohio, sections 8516, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 and 22, and section 7913—4.

Appraisement of certain lands in Paulding county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That it shall be the duty of the state board of public works, as soon as practicable, after the passage of this act to appraise section number thirty-six (36) in township number three (3) north of range number one (1) east of Paulding county, Ohio, in tracts of not more than eighty acres each and make a record of such appraisement in their office. Upon the filing of such return in their office the said board shall forthwith advertise said lands for sale by giving notice of the time and place, which place shall be the court-house of Paulding county, and terms thereof for four (4) consecutive weeks in two (2) newspapers of opposite politics published and of general circulation in said county, and upon the day and hour and at the place named in said advertisement. The said board shall offer said land for sale at public auction and then and there sell to the highest and best bidder or bidders; provided, said land or any part thereof shall not be sold for less than two-thirds the appraised value thereof, nor in tracts of more than eighty acres each, to be paid for on such terms as the said board may determine, not exceeding four years, and if any part of said lands remain unsold for want of bidders, the said board shall again advertise, and again offer said lands for sale as before; and in all cases of sales as prescribed in this section, the said board shall certify the amount of money received in payment thereof into the county treasury of Paulding county to the extent of $6,150, and balance as hereinafter provided, and receipt to the purchaser thereof and describe therein the lands sold; and the board shall enter an account between the purchasers and state, and at the time of paying of the full amount of said purchase money, together with the annual interest of six per cent. per annum, on all deferred

Advertisement and sale of such lands.

Certificates of sale.

payments from day of sale to the time of payment. The board shall properly execute and deliver to the purchaser a certificate of sale for such of said lands so purchased and paid for. And the governor of the state of Ohio shall, on receipt of said certificate, properly execute and deliver to the purchaser or his assigns a deed of conveyance of said land so sold and paid for. Deeds.

SECTION 2. That the money received from such sale shall be paid by the said board as follows: Six thousand one hundred and fifty dollars to the treasurer of Paulding county to credit of expense fund to reimburse said county for the drainage of said land and the balance to the treasurer of the state of Ohio, to the credit of the Miami and Erie canal fund. Distribution of proceeds of sale.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed April 7, 1892.
194G

[House Bill No. 205.]

AN ACT

To supplement section 4022 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 4022 of the Revised Statutes be supplemented by an additional section numbered as follows: Schools, and attendance enforced:

Sec. 4022*a*. The board or boards of education of any township district, subdistrict, special district or joint subdistrict within the state of Ohio shall permit children of school age who reside further than one and a half miles from the school where they have a legal residence under the school laws of Ohio, to attend the nearest subdistrict, special district or joint subdistrict school; and that the tax paid into the district where they have a legal residence shall, upon the demand of the board of education for the district where they attend school, be paid per capita to such board by the board where such children have a legal residence. The per capita in all cases shall be the quotient produced by dividing the total amount of money received by any such district, by the number of scholars of school age in that district. All acts or parts of acts so far as they may be inconsistent with the provisions hereof, are hereby declared void as to such inconsistency, but not otherwise. Pupils shall be permitted to attend nearest school in certain case. Per capita tax. Inconsistent laws.

SECTION 2. This act shall take effect and be in fo from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representati
ELBERT L. LAMPSON,
President pro tem. of the Sen

Passed April 7, 1892.
195G

[House Bill No. 440.]

AN ACT

To amend section 6884 of the Revised Statutes of Ohio.

Offenses against property:

SECTION 1. *Be it enacted by the General Assembly of the S of Ohio*, That section 6884 of the Revised Statutes of Ohio, amended March 1, 1892, be and the same is hereby amend so as to read as follows:

Obstructions on public sidewalks.

Sec. 6884. Whoever sets up any table, stand, te wagon or other article, to use or let for profit, on a pub footwalk or sidewalk constructed according to law, by a person, or any board of education, the council of any mun ipal corporation, the trustees of any cemetery association, trustees of any township, or any agricultural or religious ciety, or rides, drives, leads, or hitches any horse or ot animal on such footwalk or sidewalk, or in any other w obstructs the same, or digs up or removes any of the mate

Penalty.

of which the same is composed, shall be fined not more th twenty-five nor less than five dollars, or imprisoned more than ten days, or both.

Repeals.

SECTION 2. Said original section 6884, as amend March 1, 1892, is hereby repealed.

SECTION 3. This act shall take effect and be in fo from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representati
ELBERT L. LAMPSON,
President pro tem. of the Sen

Passed April 7, 1892.
196G

[House Bill No. 463.]

AN ACT

To amend section one of an act passed March 14, 1889, entitled "An for the better protection of life and property by requiring cou commissioners to erect guard-rails."

Guard-rails:

SECTION 1. *Be it enacted by the General Assembly of the S of Ohio*, That section one of the above entitled act be amend so as to read as follows:

Guard-rails for county bridge, viaduct or culvert, approaches thereto, and wash-banks.

Sec. 1. That it shall be the duty of every board of county commissioners in this state to, within two years after the passage of this act, erect or cause to be erected and maintained where the same has not already been done, one or more guard-rails on each end of every county bridge, viaduct or culvert, the same being more than five feet high; and also erect or cause to be erected, where the same has not already been done, one or more guard-rails on each side of every approach to each and every county bridge, viaduct or culvert wherever said approach or embankment is more than six feet high; and also within five years after the passage of this act, to protect, by suitable guard-rails, all perpendicular wash-banks more than eight feet in height, where the same shall have any immediate connection with a public highway, or is adjacent thereto, in an unprotected condition. Providing that in such cities and villages as by law, have the right to demand and do receive part of the bridge fund levied within the same, such guard-rails shall be enacted [erected] by the municipality.

Repeals.

SECTION 2. That section one of the above entitled act is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed April 7, 1892.
197G

[House Bill No. 561.]

AN ACT

To authorize cities of the first grade of the second class to issue bonds to pay for building viaducts over railroad tracks that cross public thoroughfares in such cities, and to levy a tax to pay the same.

Viaduct bonds (Columbus).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city councils of cities of the first grade of the second class be and they are hereby authorized, in order to pay for the building of viaducts over railway tracks that cross public thoroughfares in such cities to issue the bonds of said cities not to exceed in the aggregate four hundred thousand dollars. Said bonds shall be designated viaduct bonds, shall be issued in denominations of one thousand dollars each, shall run for such time as said councils determine, not to exceed fifteen years, and shall bear such interest as said councils determine, not to exceed six per cent. per annum; said interest to be paid semi-annually, and shall be issued according to the provisions of the statutes regulating the issue of other bonds of such cities.

Additional tax levy.

SECTION 2. To pay the principal and interest on said bonds said councils are hereby authorized to and shall levy annually upon all the taxable property of said cities a tax

sufficient in rate and amount to pay said interest and to p
vide a sinking fund to pay said bonds at maturity, and s
tax may be additional in rate and amount to all other ta
authorized to be levied by said cities for any and all oth
purposes.

SECTION 3. This act shall take effect and be in fo
from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representati
ELBERT L. LAMPSON,
President pro tem. of the Sen

Passed April 7, 1892.
198G

[House Bill No. 819.]

AN ACT

To supplement section 2491 of the Revised Statutes of Ohio as heretof supplemented, by enacting section 2491c and section 2491d.

Natural gas:

SECTION 1. *Be it enacted by the General Assembly of the St of Ohio,* That section 2491 of the Revised Statutes of the st of Ohio, as supplemented, be supplemented by enacting s tion 2491c and section 2491d, as follows, to-wit:

Additional bonds for constructing, extending and completing natural gas plant (Toledo).

Sec. 2491c. That any city of the 3d grade of the fi class, authorized to construct a natural gas plant or to borr money and issue bonds therefor for the purpose of procuri territory and right of way, sinking wells for natural gas, p chasing wells and natural gas works, purchasing and layi pipes and supplying such city with natural gas for public a private use and consumption, shall be and is hereby auth ized to borrow money and issue bonds in any sum not exce ing one hundred thousand dollars ($100,000.00) in additi to any bonds now authorized to be issued, for the purpose constructing, extending and completing such natural gas pl and making the same efficient for the purposes intend The common council of any such city shall, upon the writt request, made from time to time, of its board of natural trustees, issue bonds of such city in any sum not exceedi in the aggregate said above mentioned one hundred thousa dollars ($100,000.00), which bonds shall be issued accordi to the provisions of an ordinance to be by the common cou passed for that purpose, in denominations not less than f hundred dollars ($500.00) and not more than one thousand d lars ($1,000.00), payable at such time or times not less than years and not exceeding thirty-five years from the date of issue thereof, with interest not exceeding four and one-h per cent. per annum, payable semi-annually, principal and terest payable at such place as may be by said ordinance p vided, and such bonds shall have attached thereto coupo representing the interest to accrue thereon, and said bo shall in all cases express upon their face the purposes which, and the act under which issued, and shall be sig

by the mayor and countersigned and registered by the auditor of such city, with the seal thereof impressed thereon, and shall be sold according to law, and for not less than their face value; the proceeds of such bonds shall be used for the purposes aforesaid and not otherwise.

Bonds for payment of indebtedness.

Sec. 2491*d*. That in any city of the third grade of the first class, which, by its board of natural gas trustees has constructed or caused to be constructed a natural gas plant or any portion thereof, and has accepted and approved the labor performed and the material furnished in such construction, at a price or prices agreed upon between such board and the person or persons furnishing such labor and materials and the claim or claims therefor have neither been paid nor any funds provided for the payment thereof, and such city still remains in the use and enjoyment of the labor and materials so furnished, the prices so agreed to be paid shall be deemed and held to be binding and conclusive as to all of said contracting parties, although such city or board contracting in behalf thereof exceeded the power and authority heretofore granted to such city or board, and although such city or board may not have complied with the laws then in force. Such indebtedness shall be deemed and held to be indebtedness within the purview of section No. 2701 of the Revised Statutes of the state of Ohio and shall be provided for by issuing bonds according to law. Such bonds, however, shall not exceed in amount the sum of three hundred thousand dollars ($300,000.00) and in addition thereto such amount as may be necessary to pay for interest on such sum accruing after the passage of this act, and shall not bear a rate for [of] interest to exceed four and one-half per cent. per annum, payable semi-annually.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed April 7, 1892.
199G

[Senate Bill No. 2.]

AN ACT

To amend sections 4404 and 6991 of the Revised Statutes of Ohio.

Dentists:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 4404 and 6991 of the Revised Statutes of Ohio be so amended as to read as follows:

Requirements for practice of dentistry.

Sec. 4404. From and after July 4, 1892, it shall be unlawful for any person to practice dentistry in this state, unless such person shall have first obtained a certificate of qualification issued by the state board of dental examiners of this state as hereinafter provided:

Board of dental examiners.

1. A board of dental examiners, to consist of five practicing dentists, resident in this state, is hereby created, whose duty it shall be to carry out the purposes and to enforce the

Appointment of members.

provisions of this act. The members of the first board of dental examiners under the provisions of this act shall be appointed by the governor of the state on or before the first

Term of office

day of May, 1892. The term for which members of said board shall be appointed shall be three years, and until their successors shall be duly appointed and qualified, and no person shall be appointed for or serve to exceed two terms in

Vacancies.

succession. All vacancies in said board caused by expiration of term, or otherwise, shall be filled by the appointment of the governor of the state.

Rules and regulations.

2. Said board shall have power to make reasonable rules and regulations for the purpose of carrying out and enforcing

President and secretary; meetings.

the provisions of this act. It shall choose one of its members president, and one secretary; and shall hold two regular meetings in the city of Columbus, on the last Tuesday of

Quorum; less number.

May and November in each year, and at such other times as may [be] deemed necessary by said board. A majority of said board shall at all times constitute a quorum thereof for the transaction of business, but a less number may adjourn

Minutes of proceedings; register of licensed and certified dentists.

from time to time. The board shall keep full minutes of all of its proceedings, and a full register of all persons licensed and certified as dentists by said board, which shall be public records, and at all reasonable times open to inspection as

Certified copies.

such. A transcript of any of the entries in such minutes and register, certified by the secretary under the seal of said board shall at all times and places be competent evidence of the

Power to administer oaths and hear testimony.

facts therein stated. The members of the board shall have power to administer oaths, and the board shall have power to hear testimony in all matters relating to the duties imposed upon it by law.

Application for examination and license.

3. Any and all persons who shall desire to practice dentistry in this state after July 4, 1892, except such persons as have been regularly since July 4, 1889, engaged in the practice of dentistry in this state, or who may hold or may hereafter obtain diplomas from any reputable dental college, shall file application in writing with the secretary of said board of dental ex-

Fee.

aminers for examination and license, and at the time of making such application shall pay to the secretary of said

Appearance of applicant before board.

board a fee of ten dollars; and each applicant shall present himself before said [board] at its first regular meeting after

Examination.

filing his application for examination by said board. The examination shall be of an elementary and practical character but sufficiently thorough to test the fitness of the applicant to practice dentistry. The examination may be written, or oral, or both at the option of the board, and shall include the following subjects, to-wit: Anatomy, physiology, chemistry, materia medica, therapeutics, metallurgy, histology, pathology, and operative, mechanical and surgical dentistry.

Who shall be registered and licensed as dentists.

All persons successfully passing such examinations, or who may legally hold diplomas from any reputable college of the United States or any foreign country, or who may have been

regularly since July 4, 1889, engaged in the practice of dentistry in this state, of good moral character, shall be registered and licensed by said board as dentists, and shall receive a certificate of such registration and license, duly authenticated by the seal and signature of the president and secretary of said board; and in no case shall the examination fee be refunded.

Certificate.

Fee not to be refunded.

4. Every person receiving such a certificate of registration and license as dentist shall, before engaging in the practice of dentistry in this state, place and retain in place while engaged in the practice of dentistry in this state, such certificate of registration and license in a conspicuous position at his place of business, in such manner as to be easily seen and read.

Certificate to be conspicuously displayed at place of business.

5. Every person who may legally hold a diploma from any reputable dental college in the United States or any foreign country, or who has been regularly since July 4, 1889, engaged in the practice of dentistry in this state, shall, upon application and payment of a fee of two dollars to the secretary of said board of dental examiners, and producing satisfactory and reasonable proof of the fact that he holds such diploma, or has been so engaged in the practice of dentistry in this state since July 4, 1889, receive a certificate of registration and license to practice dentistry in this state. Every applicant for license to practice dentistry under the provisions of this section shall, in person, by mail or otherwise, produce for the inspection of the board of dental examiners his diploma, or the affidavits of himself and two freeholders [stating] that he has been regularly engaged in the practice of dentistry in this state, and at what place or places since July 4, 1889; and if the board of dental examiners shall, upon inspection thereof, find that the applicant is legally qualified under the provisions of this act to practice dentistry in this state, the secretary shall, without unnecessary delay, deliver to the applicant a certificate of registration and license to practice dentistry in this state, or forward the same without expense to the board in such manner as the applicant may direct. The certificate of the secretary of said board of dental examiners, under the seal of said board, stating that any person is a registered and licensed dentist, shall be prima facie evidence that such person is entitled to practice dentistry in this state.

Who shall receive certificate without examination.

Fee.

Proofs required of such applicants.

Delivery of certificate.

Evidence of authority to practice dentistry.

Sec. 6991. All persons shall be said to be practicing dentistry within the meaning of this act, who shall for a fee, salary or [other] reward paid or to be paid, either to himself or to another person, perform dental operations of any kind, treat diseases or lesions of human teeth or jaws, or attempt to correct malpositions thereof. But nothing contained in this act shall be taken to apply to acts of bona fide students of dentistry done in pursuit of clinical advantages under the direct supervision of a preceptor who is a licensed dentist in this state, or while in attendance upon a regular course of study in a reputable dental college, or to the acts of legally qualified physicians and surgeons.

Practice of dentistry defined.

Students of dentistry, physicians and surgeons.

1. Out of the funds coming into the possession of the board as above specified, the members of said board may

Compensation and mileage of members of

board of dental examiners.

each receive a compensation in the sum of five dollars for each day actually engaged in the duties of their office as such examiners; and a mileage of three cents per mile for all distances necessarily traveled in going to and coming from the meetings of the board. Said expenses shall be paid from the fees and assessments received by the board under the provisions of this act, and no part of the salary or other expenses of the board shall ever be paid out of the state treasury. All moneys received in excess of the said per diem allowance and mileage as above provided for, shall be held by the secretary of said board as a special fund for other expenses of said board and carrying out provisions of this act, he giving such bond as the board shall from time to [time] direct.

Payment of such expenses.

Special fund for other expenses.

Bond of secretary.

Penalty for violations.

2. Any person who shall violate any of the provisions of this act, shall be guilty of a misdemeanor, and upon conviction thereof may be fined not less than twenty-five dollars nor more than one hundred dollars, or be confined not less than ten days nor more than one month in the county jail, or both. All fines thus received shall be paid into the common school [fund] of the county in which such conviction takes place. It is hereby made the duty of the prosecuting attorney of each county in the state to prosecute every case to final judgment whenever his attention shall be called to a violation of the provisions of this act.

Disposal of fines.

Duty of prosecuting attorney.

Penalty for deceiving public.

3. Any person who shall knowingly or falsely claim or pretend to have or hold a certificate of registration, or who shall falsely and with intent to deceive the public, claim or pretend to be a registered and licensed dentist, not being such a registered or licensed dentist, shall be deemed guilty of a misdemeanor and shall be liable to the penalties provided in this act.

Suit by or against board.

4. The board of examiners created by this act may sue or be sued, and in all actions brought by or against it, it shall be made a party under the name of the board of dental examiners of the state of Ohio, and no suit shall abate by reason of any change in the membership of said board.

Repeals.

SECTION 2. Said original sections 4404 and 6991 are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 8, 1892.
200G

[Senate Bill No. 149.]

AN ACT

To provide for the introduction of "Howe's Historical Collections of Ohio" as a reference book in the schools of the state.

Purchase of Howe's Historical Collections of Ohio for schools.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the boards of education of city, village, township and special school districts in the state be and are hereby authorized to purchase for each school in either of said districts one copy of "Howe's Historical Collections of Ohio," to be used as a reference book in the study of the history of the state; provided that said book shall be in quality, style, binding and finish equal to the present published edition of said work, bound in half Russia leather, and shall cost not to exceed three dollars per volume, for each set of three volumes; provided further, that the price of the books and cost of transportation shall be paid out of the contingent fund of such district.

Quality, style, binding, finish and price of volumes.

Payment for books.

Care and preservation of books.

SECTION 2. Said books during the vacations of schools, or when the schools are not in session, shall be taken care of in the same manner that maps, globes, dictionaries and other school apparatus are cared for and preserved.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.

ANDREW L. HARRIS,
President of the Senate.

Passed April 8, 1892.
201G

[Senate Bill No. 204.]

AN ACT

To amend section 719 of the Revised Statutes.

Asylums for the insane:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 719 of the Revised Statutes be amended to read as follows:

Costs and fees in inquests of insanity.

Sec. 719. The taxable costs and expenses to be paid under the provisions of this chapter shall be as follows: To the probate judge with whom the affidavit is filed, the sum of two dollars for holding an inquest; for each warrant, certificate or subpœna he necessarily issues, the same fees as are allowed by law to the clerk of the court of common pleas for similar services; and the amount of postage on all communications to and from the superintendent which the judge is required to pay; to the medical witness who makes out the certificate, two dollars, and witness fees such as are allowed by law in other cases; to the witnesses and constables, the same fees as are allowed by law for like services in other

cases; to each person employed by the probate judge to commit a lunatic to the county infirmary, seventy-five cents per day; to the jailer for keeping an idiot or insane person, thirty-five cents per day; to the sheriff for himself or assistant, or any other person than the assistant, for taking an insane person to the asylum, or removing one therefrom upon the warrant of the probate judge, mileage at the rate of ten cents per mile, going and returning, and seventy-five cents per day for the support of each patient on his journey to or from the asylum, and nothing more for said services, the number of miles to be computed in all cases by the nearest route traveled; the costs specified shall be paid out of the county treasury, upon the certificate of the probate judge, provided that in counties containing a city of the first class, second grade, when it appears necessary to the sheriff, at the time of the arrest or other time, that the condition of the patient requires the same, he shall be authorized to provide a conveyance for said patient, and the costs of the same shall be taxed by him in the bill of costs, and paid as other costs in the case.

Cuyahoga county.

Repeals.

SECTION 2. That original section 719 be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 8, 1892.
202G

[Senate Bill No. 225.]

AN ACT

To authorize any city which had at the last federal census, or which at any subsequent federal census may have a population of eight thousand two hundred and seventy-three, to borrow money and issue bonds for extending the present system of water-works.

Water-works bonds (Marietta).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city council of any city which at the last federal census had, as ascertained thereby, or which at any subsequent federal census may have, as ascertained thereby, a population of eight thousand two hundred and seventy-three, be and hereby is authorized to borrow a sum not to exceed ten thousand dollars, and to issue the bonds of such city therefor, to be expended in extending, enlarging and completing the system of water works of such city. Said bonds shall be issued in denominations not to exceed five hundred dollars, and shall bear interest at a rate not to exceed five per cent. per annum, payable semi-annually; and they shall not be sold for less than their par value with accrued interest. Said bonds shall be redeemable at the pleasure of [the] city

council of said city at any time after ten years from the date of the issue of the same, and said bonds shall become due and payable at a period not to exceed twenty years from their date. The power of such city council to issue and sell said bonds shall erminate and end at the expiration of three years from the date of the passage of this act. The proceeds arising from the sale of said bonds shall be placed in the city treasury to the credit of the water-works fund of the trustees of the water-works of such city, and shall be subject to the order of the trustees of water-works of such city, and shall be used for paying the cost and expense of extending, enlarging and completing the system of water-works of such city.

Additional tax levy.

SECTION 2. The city council of such city, for the purpose of paying interest on any and all bonds issued under the authority of this act, shall levy annually a tax upon all the taxable property in such city sufficient to pay said interest, and such city council shall also levy in addition, from time to time, a tax upon all the taxable property in such city sufficient to redeem and pay the bonds issued under the authority of this act at their maturity.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.

ANDREW L. HARRIS,
President of the Senate.

Passed April 8, 1892.
203G

[Senate Bill No. 235.]

AN ACT

To amend subdivision 1 of section 1765a of title 12 of the Revised Statutes of Ohio, as supplemented in an act entitled "An act supplementary to and amendatory of title 12 of the Revised Statutes of Ohio," passed March 26, 1891 (O. L., 88, p. 222).

Officers: powers and duties (Cincinnati).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That subdivision 1 of section 1765*a* of title 12 of the Revised Statutes of Ohio, as passed March 26, 1891 (O. L., 88, p. 222), be and the same is hereby amended as follows:

Annual report of auditor.

Sec. 1765*a*, subdivision 1. At the end of each fiscal year he shall submit to the board of legislation, printed in pamphlet or book form, a report of the accounts of such city, verified by his oath or affirmation, showing the revenue, receipts and expenditures, and sources from which the revenues and funds are severally derived, and in what manner the same have been disbursed. Such report shall also show the names, alphabetically arranged, of all persons who have paid money for any assessment during the year, covered by such report, together with the amounts paid by each; and also a list, alphabetically arranged, of all persons who are delinquent for any assessments, with the amounts due from each.

Repeals, etc.

SECTION 2. Subdivision 1 of section 1765a, as passe March 26, 1891, is hereby repealed; and this act shall tak effect from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representative
ANDREW L. HARRIS,
President of the Senat

Passed April 8, 1892.
204G

[Senate Bill No. 55.]

AN ACT

To authorize the issue of bonds in certain counties, for the refunding bonds and relief of the county funds.

Bonds for replenishing county fund and redeeming deficiency bonds (Butler county).

SECTION 1. *Be it enacted by the General Assembly of the Stat of Ohio*, That any county having a population of not mor than forty-eight thousand and six hundred, nor less tha forty-eight thousand and five hundred, by the last federa census, or which at any subsequent federal census may hav such population, the county commissioners are hereby au thorized to issue the bonds of said county in any sum no to exceed fifty thousand dollars, ten thousand dollars of th money derived therefrom to be applied to replenishing th county fund, and forty thousand dollars to the redemption o bonds heretofore issued, for the payment of deficiencies i the county fund; said bonds shall be signed by the county commissioners, and countersigned by the county auditor who shall affix his seal thereto; said bonds shall bear a rat of interest not exceeding six per centum per annum, interes and principal payable at the county treasurer's office of said county; interest payable semi-annually, and evidenced by interest coupons; principal payable within not [not] more than ten years nor less than [ten years nor less than] six years from date of issue thereof, in such denominations, in such [in such] sums, and at such time as the commissioners may determine before the issue of said bonds; the issuing, the form, the record and the redemption of said bonds to be in conformity to the laws governing the issue of county bonds; said bonds to be advertised and sold under all the conditions and requirements of section 7755—9, of the Revised Statutes of Ohio.

Additional levy of tax.

SECTION 2. For the purpose of creating a sinking fund for the gradual extinction of the bonds authorized in section 1 of this act, the commissioners are hereby authorized and required annually, until payment of the bonds be fully provided for, [to] levy and collect in addition to the other taxes of the county, a tax sufficient to pay said bonds and interest upon the taxable property in the county, which tax shall be paid into the treasury and applied, by order of the commissioners, to the extinguishment of said bonds, and to no other purpose whatever.

SECTION 3 This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 12, 1892.
205G

[House Bill No. 107]

AN ACT

To prevent the use of seines or set-nets for catching fish in the Lewistown reservoir for a period of five years.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That it shall be unlawful to catch fish with set-nets or seines, or to employ set-nets or seines for the purpose of catching fish in the Lewistown reservoir for five years from the passage of this act. Unlawful catching of fish in Lewistown reservoir

SECTION 2. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction of the same shall be fined not less than five dollars nor more than twenty dollars, and shall stand committed till fine and costs are paid. Penalty.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 12, 1892.
206G

[House Bill No. 112.]

AN ACT

To amend section 4071 of the Revised Statutes requiring school examiners to give published notice of times and places of holding examinations of applicants for certificates, in two weekly newspapers of opposite politics within their county, and to repeal section 4071 of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 4071 of the Revised Statutes be amended to read as follows: County school examiners:

Sec. 4071. Each board shall fix upon the place and times for holding meetings for the examination of applicants for certificates, notice of which shall be published in two weekly newspapers of different political parties printed in the county Meetings of board; notice thereof; examination of applicants and granting of

certificates; fee for examination.

if there are two such papers there published; if not, then a publication in only one is required; the meetings, of which there shall not be more than eighteen in any year, shall be held at such place in the county as will, in the opinion of the board, best accommodate the greatest number of applicants; a majority of the board may examine applicants and grant certificates; and as a condition of examination, each applicant shall pay to the board a fee of fifty cents.

Repeals, etc.

SECTION 2. That said section 4071 be and the same is hereby repealed, and this act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.

ANDREW L. HARRIS,
President of the Senate.

Passed April 12, 1892.
207G

[Senate Bill No. 195.]

AN ACT

To authorize cities of the second grade of the second class to issue fire department bonds for the purposes herein specified.

Fire department bonds (Dayton).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in all cities of the second grade of the second class in which a fire department may now or hereafter be established, in which it becomes necessary to erect new hose-houses, it shall be lawful for the board of city affairs of such city to issue bonds therefor, entitled "fire department bonds," in the sum of thirty thousand dollars ($30,000 00), to be sold according to law; the money arising from the sale of such bonds to be paid into the city treasury of such city, and placed to the credit of the fire department fund, to be expended for the purpose designated in this act and no other. Said bonds shall be of such denomination as the board of city affairs of such city may deem best, in any sum not in excess of the amount heretofore named, and for a length of time not exceeding ten years, and at a rate of interest not exceeding five per cent. per annum, payable semi-annually; said bonds shall not be sold for less than their par value, and the proceeds thereof, together with such premiums as may be derived therefrom shall be applied to no other purposes than herein mentioned; said bonds shall be signed by the president of the board of city affairs and the city comptroller of such city, and be sealed with the seal of said city comptroller.

Additional tax levy.

SECTION 2 The city council of any such city is hereby authorized to levy an annual tax, not in excess of five-tenths of one mill on the general duplicate of such city, in addition to the other taxes heretofore authorized to be levied or hereafter to be levied, for the redemption of said bonds and the payment of the interest thereon, until said bonds and the interest thereon are paid and said bonds redeemed as the same may become due.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 12, 1892.
208G

[Senate Bill No. 196.]

AN ACT

To amend section 5981 of the Revised Statutes of the state of Ohio.

Wills:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 5981 be amended so as to read as follows:

Bond of trustee appointed by will.

Sec. 5981. Every trustee appointed in any will shall, before entering upon the discharge of his duties as such trustee, execute a bond with freehold sures [sureties], payable to the state, in the probate court of the county in which any such will may be admitted to probate, to the satisfaction of said court, conditioned for the faithful discharge of his duties as such trustee; provided, that when by the terms of any will the testator shall express a wish that his trustee may execute the trust without giving bond, the court admitting the will to probate may at its discretion grant permission to the trustee to execute the trust with or without bond, as may seem expedient; and when granted without bond [the bond] the court may, at any subsequent period, upon the application of any party interested, require bond to be given; and provided, further, that the court upon the application of any party interested may, if deemed necessary, require a new or additional bond at any time before the completion of the trust; and provided, further, that when any minor, idiot, imbecile or lunatic is interested in the estate, the court shall require such trustee to execute a bond for the benefit of said minor, idiot, imbecile or lunatic to the satisfaction of the court, conditioned according to law.

Discretionary powers of court as to bond.

When court shall require bond.

Repeals.

SECTION 2. All acts and parts of acts inconsistent herewith be and the same are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 12, 1892.
209G

[Senate Bill No. 213.]

AN ACT

To provide for an additional sum to extend, complete and further improve fair grounds for the use of county agricultural associations.

Resolution declaring necessity for improving fair grounds (Hamilton county).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That in any county of the state containing a city of the first grade of the first class and having an agricultural society organized under the laws of the state, the board of directors of such agricultural society, when [ever] they deem it necessary to extend, complete and further improve the fair grounds used by such society, shall, at a general meeting of said board, by a vote of at least two-thirds of all the members thereof, upon a call of the yeas and nays, pass a resolution for the purpose of securing the benefit of this act, declaring such necessity; and said board of directors shall then, within thirty days from the passage of said resolution, give notice in writing to the board of county commissioners of the county containing such fair grounds, of the necessity for extending, completing and further improving the fair grounds under the absolute control of such society, which notice shall contain or have annexed thereto a certified copy of said resolution, and shall be signed by the president and secretary of said board of directors.

Notice to county commissioners.

Extension, completion and improvement of fair grounds; costs thereof.

SECTION 2. That after the filing of said notice the said board of county commissioners shall proceed to extend, complete and further improve the fair grounds in use by such society within a reasonable time, not to exceed four months, in such manner as the board of directors of such society may direct, but the total cost of said improvements when completed, including land purchased, shall not exceed ten thousand ($10,000.00) dollars.

Payment for improvements.

SECTION 3. That the payment of said extension, completion or further improvements shall be made by said board of county commissioners from any unappropriated funds in the county treasury at such times as said payments are to be made, and if no such funds are in the county treasury at such times, then said board of county commissioners are hereby directed to issue the bonds of said county, for such amounts as may be necessary for such improvements, not to exceed the amount provided for in section second of this act. Such bonds to bear interest at five per centum per annum, and to be payable at the office of the board of county commissioners at such time, not to exceed ten years from the date thereof, as said board of county commissioners shall determine; and to provide for the payment of such bonds, the said board of county commissioners are hereby directed to levy such annual tax on all taxable property of the county as may [be] necessary therefor. Said levy shall be collected and accounted for as other county taxes are by the proper county officers.

Issue of bonds.

Levy of tax.

Appropriation of real estate

SECTION 4. If the extension and the improvement of the fair grounds provided for in this act, shall involve the

acquiring of real estate, and the said board of county commissioners shall not be able [to] agree with the owner or owners of the same on a price to be paid therefor, or if for any reason the parties owning or interested in the same shall be unable to make a satisfactory title to the same, then the said board of county commissioners are hereby authorized and directed to appropriate the same, and for that purpose they shall cause a petition setting forth a pertinent description of the property, [for] the purposes for which it is appropriated, and making all parties interested in the title to the premises parties defendant, to be filed in the probate court or court of common pleas of the county in which said fair grounds are situated, and thereupon the same proceedings shall be had as are provided for the appropriation of private property by municipal corporations, and upon the payment of the amount of money awarded by the jury, as directed by the court, the title to the premises shall vest absolutely in the said board of county commissioners.

or extension and improvement of fair grounds.

SECTION 5. And where the title to the grounds and improvements occupied by agricultural societies in counties containing a city of the first grade of the first class is vested in the board of county commissioners, the control, management and leasing of such lands and improvements shall be vested absolutely in the board of directors of such agricultural society while the same are being occupied and used by said society for holding agricultural fairs, and the money realized from rents or leasing of said grounds and buildings shall go into the treasury of said society to be used as a fund for keeping grounds, fences and buildings in good repair, and in making such other improvements as may be deemed necessary by the agricultural board.

Control, management and leasing of lands and improvements during times of holding agricultural fairs; fund for repairs and improvements.

SECTION 6. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.

ANDREW L. HARRIS,
President of the Senate.

Passed April 12, 1892.
210G

[Senate B.ll No. 263.]

AN ACT

To amend section 4 of an act entitled "An act to provide for the reorganization of boards of education in city districts of the second grade of the first class," as passed March 8, 1892.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 4 of an act entitled "An act to provide for the reorganization of boards of education in city districts of the second grade of the first class," passed March 8, 1892, be amended to read as follows:

Board of education (Cleveland):

Resolutions; presentation of certain to director.

Sec. 4. Every legislative act of the council shall be by resolution. Every resolution involving an expenditure of money or the approval of a contract for the payment of money, or for the purchase, sale, lease or transfer of property, or levying any tax, or for the change or adoption of any text-book, shall, before it takes effect, be presented, duly certified by the clerk, to the school director for approval. The director, if he approves such resolution, shall sign it; but if he does not approve it he shall return the same to the council at its next meeting, with his objections, which objections the council shall cause to be entered upon its journal, and if he does not return the same within the time above limited, it shall take effect in the same manner as if he had signed it; provided, that the director may approve or disapprove the whole, or any item or part of any resolution appropriating money; and further provided, that any item disapproved shall have no bearing or connection with any other part of such resolution. When the director refuses to sign any such resolution or part thereof, and returns it to the council with his objections, the council shall forthwith proceed to reconsider it; and, if the same is approved by a vote of two-thirds of all the members elected to the council, it shall then take effect as if it had received the signature of the director; and in all such cases the votes shall be taken by yeas and nays and entered on records of the council.

Director's approval; return to council when vetoed.

Failure to return in time limited; resolution appropriating money.

Reconsideration by council.

Passage over director's veto.

Yeas and nays; record.

Repeals.

SECTION 2. That said section 4 of an act passed March 8, 1892, is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.

ANDREW L. HARRIS,
President of the Senate.

Passed April 12, 1892.
211G

[Senate Bill No. 281.]

AN ACT

To amend section 7 of an act entitled "An act to authorize the improvement of public roads in certain townships by the township trustees thereof," passed April 28, 1891 (O. L., 1891, vol. 88, pages 411 and 412).

Improvement of public roads (Crane township, Wyandot county):

SECTION 1. *Be it enacted by the General Assemb'y of the State of Ohio,* That section 7 of an act entitled "An act to authorize the improvement of public roads in certain townships by the township trustees thereof," passed April 28, 1891 (O. L., 1891, vol. 88, pages 411 and 412), be so amended as to read as follows:

Order for improvement of roads.

Sec. 7. After the report of the commissioners and the map and profiles of the engineer have been filed with the township clerk, the township trustees shall, in determining

which road shall be first improved of those designated by the commissioners, select the main roads entering said village, both east and west and north and south, and if, in their opinion, it is not expedient to undertake the improvement of the roads in all directions at one time, they shall proceed to first improve the road having the greatest length in the township; provided, however, that after the said commissioners have filed their report, their duties as such road commissioners shall cease and the office of said road commissioner is hereby abolished; and the trustees are hereby empowered to macadamize and improve the roads leading into and through said village in said township upon the petition of a majority of the lot or land owners living on said road or street in said village; when the trustees have, by resolution, determined to improve such street or road, the construction shall be by them publicly let as provided for the construction of roads in section 9 of the act entitled "An act to authorize the improvement of public roads in certain townships by the township trustees thereof," passed April 28, 1891 (O. L., 1891, vol. 88, pages 411 and 412).

Expiration of term of road commissioners.

Improvement of village roads or streets.

SECTION 2. That section 7 of the act entitled "An act to authorize the improvement of public roads in certain townships by the township trustees thereof," passed April 28, 1891 (O. L., 1891, vol. 88, pages 411 and 412), is hereby repealed.

Repeals.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 12, 1892.
212G

[Senate Bill No. 287.]

AN ACT

To amend section 4103 of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 4103 of the Revised Statutes be and it is hereby amended so as to read as follows:

Cincinnati and Toledo universities:

Sec. 4103. The common council of said city may set apart or appropriate as a site for the buildings and grounds of the university, college or institution so founded, any public grounds of the city, not especially appropriated or dedicated by ordinance to any other use or purpose, any law to the contrary notwithstanding; and the board of education of said city may also, for a like purpose, set apart, convey or lease for a term of years any grounds owned by such board. And any grant of the use of such grounds heretofore or hereafter made by any city council or board of education may be modified, changed or extended as to the time when the same shall take

Site for buildings and grounds.

effect and be in force, or otherwise, by agreement between such council or board and the directors of such university, and said council or board or any board of legislation shall be taken and held to be the representatives of such city, vested with the title, right of possession and entire control of such property for the purposes of a new grant.

Repeals, etc.

SECTION 2. Original section 4103 is hereby repealed, and this act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 12, 1892.
213G

[House Bill No. 308.]

AN ACT

To prohibit barbering on Sunday.

Misdemeanor to barber on Sunday: penalty.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That any person who engages in the business of barbering on Sunday shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not more than five dollars and upon a second conviction for a like offense shall be fined not less than ten dollars and not more than twenty-five dollars, or imprisoned in the county jail for a period of not less than five days nor more than ten days or be both fined and imprisoned at the discretion of the court.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 12, 1892.
214G

[House Bill No. 650.]

AN ACT

To authorize the city council of any city having at the last federal census, as ascertained thereby, or which may have at any subsequent federal census as ascertained thereby, a population of eight thousand two hundred and seventy-three, to borrow money and issue bonds therefor for paving the streets of such city.

Street improvement bonds (Marietta).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city council of any city which at the last federal census had, as ascertained thereby, or which at any subsequent federal census may have, as ascertained thereby,

a population of eight thousand two hundred and seventy-three, be and hereby is authorized to borrow a sum not to exceed twenty thousand dollars, and to issue the bonds of such city therefor, to be expended for paving the streets of such city, including the setting of curbing and other incidental expenses. Said bonds shall be issued in denominations not to exceed five hundred dollars, and shall bear interest at a rate not to exceed five per cent. per annum, payable semi-annually, and they shall not be sold for less than their par value with accrued interest. Said bonds shall be redeemable at the pleasure of the city council of such city at any time after ten years from the date of the issue of the same, and said bonds shall become due and payable at a period not to exceed twenty years from their date. The power of such city council to issue and sell said bonds shall terminate and end at the expiration of three years from the date of the passage of this act. The proceeds arising from the sale of said bonds shall be placed in the city treasury to the credit of what shall be known as the "street paving fund," and shall be used for paying the cost and expense of paving streets of said city, or portions thereof, including the setting of curbing and other incidental expenses. The cost and expense which, as just hereinbefore provided, may be paid from the proceeds arising from the sale of said bonds, may be either such cost and expenses as is by law chargeable upon such city, or such proportion of total cost and expense as the city council of such city may deem it proper to be paid by such city, or such proportion of total cost and expense, in anticipation of the collection of special assessments therefor, as the city council of such city may assess on lots and lands abutting on such streets or portions of streets paved, or such proportion of total cost and expense as may be properly chargeable to and collectible from any street railway company or other person, association of persons, partnership or corporation. All money which may be collected by said city from said special assessments, the collection of which may be so as aforesaid anticipated, and all money which may be collected by such city from any street railway company or other person, association of persons, partnership or corporation, by reason of such payment by such city of the proportion of total cost and expense properly chargeable to such street railway company or other person, association of persons, partnership or corporation, shall be placed in the city treasury to the credit of said "street paving fund," or else applied by such city either to the payment of interest on bonds issued under the provisions of this section, or to the redemption of such bonds, or to the creation of a sinking fund for the redemption of such bonds.

Issue and sale, etc.

Application of proceeds.

Money collected from special assessments, etc.

SECTION 2. The city council of such city, for the purpose of paying the interest on any and all bonds issued under the authority of this act, shall levy annually a tax upon all the taxable property in such city sufficient to pay said interest; and such city council shall also levy in addition, from time to time, a tax upon all the taxable property in such city sufficient to redeem and pay the bonds issued under the authority of this act by their maturity.

Additional tax levy.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 12, 1892.
215G

[House Bill No. 670.]

AN ACT

To amend supplementary section 6946a of the Revised Statutes of Ohio, passed April 12, 1888.

Offenses against public policy:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That supplementary section 6946a of the Revised Statutes of Ohio, passed April 12, 1888, be amended so as to read as follows:

Penalty for selling intoxicating liquors near soldiers' and sailors' home or national home for disabled volunteer soldiers.

Sec. 6946a. Whoever sells or gives away intoxicating liquors, at or within one mile of the administration or main building of the soldiers' and sailors' home, located near the city of Sandusky, Ohio; or within one mile outside of the boundary line of the lands belonging to the national home for disabled volunteer soldiers, located near Dayton, Ohio, shall be fined not more than one hundred nor less than twenty-five dollars, and imprisoned thirty days, and on conviction of the owner or keeper thereof, the place wherein such intoxicating liquors are sold may, by order of the court, be shut up and abated as a nuisance; provided, the provisions and penalties of this section shall not apply to any place where intoxicating liquors are or may hereinafter be sold within the present limits of the incorporated city of Sandusky, Erie county, Ohio. And the prosecuting attorney of the police court of any city of the second grade of the second class is charged with the duty of prosecuting all violations of this section, within the jurisdiction of the police court of any such city; and any failure on the part of such prosecuting attorney of the police court to file information, shall be cause for his removal from office at the discretion of the board of police directors of such city.

Sandusky.

Prosecuting attorney of the police court of Dayton.

Repeals.

SECTION 2. That said supplementary section 6946a of the Revised Statutes, passed April 12, 1888, be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 12, 1892.
216G

[House Bill No. 774.]

AN ACT

Providing for the payment of the expenses of Benjamin F. Weybrecht, contestee in the Rowlen and Weybrecht contest for the office of representative to the general assembly from Stark county.

Appropriation for Benjamin F. Weybrecht.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be paid Benjamin F. Weybrecht the sum of six hundred and seventy-five dollars ($675.00) out of any funds in the treasury not otherwise appropriated for the purpose of defraying the costs of aforesaid Benjamin F. Weybrecht in the contested election case of Rowlen against Weybrecht for representative from Stark county to the general assembly of Ohio, and the auditor of state is hereby directed to draw his warrant on the treasurer of state in favor of said Weybrecht for said amount.

SECTION 2. This act shall take effect on and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 12, 1892.
217G

[House Bill No. 854.]

AN ACT

To amend an act passed March 30, 1892, entitled "An act authorizing certain villages to borrow money and issue bonds to complete the construction of water works and electric light plants."

Water-works and electric light plant bonds (Niles).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the act passed March 30, 1892, entitled "An act authorizing certain villages to borrow money and issue bonds to complete the construction of water-works and electric light plants," be amended so as to read as follows: That the council of any village containing not less than 4,275 nor more than 4,290 inhabitants at the last federal census, or which may at any future census have such population, owning and controlling water-works and electric light plants are hereby authorized and empowered to issue the bonds of such village in any sum not to exceed ten thousand dollars ($10,000.00), for the purpose of extending and completing such water-works and electric light plants. Such bonds shall be in such denominations as the council shall determine and bear not more than six per cent. interest, payable annually, and shall not be sold for less than par value, and be sold according to law, and made payable in not more than twenty-five years after date of issue, and be dated on day of sale.

Application of proceeds.

SECTION 2. Out of the proceeds of such sale of bonds as provided for in section one of this act, not more than seven thousand dollars shall be used in completing and extending

such water-works, and the remainder of the proceeds of tl sale of the bonds shall be used in completing and extendi the electric light plant in the village.

Repeals, etc.

SECTION 3. This act shall take effect and be in fu force and effect from and after its passage, and that said a passed March 30, 1892, be and is hereby repealed.

LEWIS C. LAYLIN,
Speaker of the House of Representativ

ANDREW L. HARRIS,
President of the Sena

Passed April 12, 1892.
2180

[House Bill No. 898.]

AN ACT

To authorize the council of any village having a population at the l federal census or any subsequent federal census of not less than fi hundred and sixty or more than five hundred and seventy to issue t bonds of said village for the purpose of constructing a system water-works.

Water-works bonds (Williamshire).

SECTION 1. *Be it enacted by the General Assembly of the St of Ohio*, That the village council of any village having a pop lation at the last federal census or any subsequent feder census of not less than five hundred and sixty or more tha five hundred and seventy shall have power to issue the bonds such village in any sum not exceeding four thousand dolla bearing interest at any rate not exceeding six per cent. p annum payable semi annually for the purpose of constructi water-works in said village.

Issue and sale, etc.

SECTION 2. Said bonds shall be signed by the mayor said village and countersigned by the clerk thereof and sh be authenticated by the seal thereof. They shall not be so for less than their par value, and shall be issued at such tim and in such amounts and mature at such dates respectivel as the council of said village shall determine by ordinanc

Additional tax levy.

Said village council is hereby authorized to levy a tax in ad tion to the amount otherwise ordered by law every year du ing the period said bonds have to run upon all the taxab property of said village, sufficient in amount to pay the sa bonds and the interest thereon as the same may become du

Water-works.

SECTION 3. The funds realized from the sale of said bon shall be used by the council of said village for the purpose constructing, paying for, and maintaining water-works for sa village, which water-works when completed, shall be use operated and controlled in such manner as may be prescrib by law, and the ordinances of said village enacted in co formity therewith.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 12, 1892.
219G

[Senate Bill No. 200.]

AN ACT

To amend section 4607 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 4607 of the Revised Statutes be so amended as to read as follows: Levees:

Sec. 4607. When it becomes necessary to repair any levee constructed under the provisions of this chapter or under any other law, or under any agreement of the owners of the lands affected by such levee, the same shall be done under the provisions of this chapter, and the proceedings therefor shall conform as far as possible to proceedings under this chapter for the location of a levee. Repair of levees.

SECTION 2. That original section 4607 and the act "to provide for the repair of levees," passed April 16, 1891, be and the same are hereby repealed. Repeals.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 13, 1892.
220G

[Senate Bill No. 237.]

AN ACT

To amend and supplementary to section 3994 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 3994 of the Revised Statutes of Ohio be amended so as to read as follows: School-houses and libraries:

Sec. 3994. The board of education of any city district of the first class, except a district embracing a city of the first or second grade of the first class, may issue bonds to obtain or improve public school property, and in anticipation of income from taxes for such purpose, levied or to be levied, Issue of bonds by boards of education of city districts of the first class; exceptions.

may, from time to time, as occasion requires, issue and sell bonds under the restrictions and bearing a rate of interest specified in the preceding section, and shall pay such bonds and the interest thereon when due, but shall so provide that no greater amount of such bonds shall be issued in any year than would equal the aggregate of a tax at the rate of two mills, for the year next preceding such issue; but the order to issue such bonds shall be made only at a regular meeting of the board, and by a vote of a majority of all the members thereof, taken by yeas and nays, and entered on the journal of the board.

Issue of deficiency bonds by Cleveland board.

Sec. 3994*a*. That boards of education in city districts of the second grade of the first class shall have power to borrow money not exceeding in amount the sum of three hundred thousand dollars to meet any deficiency that may exist in such funds and revenues as it may have available to pay the current and ordinary expenses of the year A. D. 1892, and to issue bonds therefor bearing interest at a rate not to exceed five per centum per annum.

Extension of time of payment of bonded indebtedness of Cleveland board.

Sec. 3994*b*. That boards of education in city districts of the second grade of the first class shall have power to borrow money at a rate of interest not exceeding six per centum per annum to extend the time of payment, but not to increase the amount of any of its bonded indebtedness, whenever the same shall become due and payable.

Regulations as to issue of bonds by Cleveland board.

Sec. 3994*c*. That all bonds issued boards of education in city districts of the second grade of the first class shall contain a citation of the law and resolution authorizing the same, and shall be signed by the school director and the auditor of the board, and shall be drawn to mature within ten years and six months of their date of issue.

Regulations as to sale of bonds by Cleveland board.

Sec. 3994*d*. Whenever any board of education in city districts of the second grade of the first class issues its bonds it shall first offer them at par and accrued interest to the commissioners of the sinking fund of any city located in whole or in part within such district and only after their refusal to take any or all of such bonds at par and interest shall such bonds, or as many of them as remain, be advertised and offered for public sale in manner and form as provided by an act entitled "An act providing for the sale of public bonds," passed March 22, 1883. (80 O L, 68)

Repeals, etc.

SECTION 2. Said original section 3994 is hereby repealed, and this act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.

ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed April 14, 1892.

221G

[House Bill No. 252.]

AN ACT

To create and perpetuate a board of trustees of the firemen's pension fund, and to provide and distribute such fund for the pensioning of disabled firemen, and the widows and minor children and dependent mothers and fathers of deceased firemen; to authorize the retirement from all service, or the relief from active service, and the pensioning of any such member of the fire department, and for other purposes in connection therewith, in cities of the first grade of the second class.

Board of trustees of the firemen's pension fund (Columbus).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the person who from time to time is the mayor of any city of the first grade of the second class, and two other persons to be appointed by the mayor of any such city as hereinafter provided, together with three other persons, members of the fire department therein, elected as hereinafter provided, shall constitute and be the trustees for the distribution of the firemen's pension fund.

Appointment of members.

SECTION 2. Within thirty days after and by virtue of the passage of this act, the mayor of any such city shall appoint two persons to be members of such board, one to serve for the term of six years from the first Tuesday in January last preceding his appointment, and one to serve for five years from the first Tuesday in January last preceding his appointment, and each until his successor is duly appointed and qualified as hereinafter provided.

Expiration of term of appointed member.

SECTION 3. Upon the expiration of the term of office of any such member of the board of trustees of the firemen's pension fund who shall have been appointed by the mayor, the mayor of any such city shall appoint a successor in office for the term of six years.

Death or resignation of appointed member.

SECTION 4 If any member of such board so appointed by the mayor shall die or resign before the expiration of his term of office, the mayor of any such city shall, within thirty days after such death or resignation, appoint a successor to such person to fill the unexpired term of any such member who shall have died or resigned as aforesaid.

Election o members.

SECTION 5. The three persons, members of the fire department to be elected as such trustees shall, together with three other persons also members of the fire department in any such city, be nominated for such office of trustee in a convention to be composed of one delegate from each engine, chemical engine, fire boat, hook and ladder or hose company, fire alarm telegraph company, and from the general office belonging to the fire department of any such city, and convene at least two weeks prior to the election of such three persons. That such election shall be held in the respective houses or headquarters of such engine, chemical engine, fire boat, hook and ladder or hose company, telegraph department or general office, and to be by ballot cast by the members of said fire department between the hours of 9 o'clock in the forenoon and 6 o'clock in the afternoon, on the first Tuesday of January, in each and every year hereafter, except the first

election, which shall be held within thirty days after and by virtue of the passage of this act. That every such member shall be entitled to cast only one ballot; that no ballot shall contain the names of more than three persons, and the three persons receiving the highest number of votes shall be declared elected as such trustees, and hold their offices until their successors are duly elected. That the captain or officer in command of any such company, on the day of and immediately after holding such election, shall canvass, count and certify in writing the number of ballots cast, and the vote received by each candidate for the office of trustee. After signing such certificate, said captain or officer in command shall at once address and deliver, or mail the same to the secretary of the board of trustees. That the president and secretary of the board of trustees shall, together, within three days after the receipt of such certificates by said secretary, open the same, and ascertain and determine the total number of votes so cast at said election for the different persons for the office of trustee, as returned by said captain or officer in command, and under the respective hands of such president and secretary issue certificates of their election to the three persons elected as such trustees. In case a tie vote is received by any two persons for the office of said trustee, such tie vote shall be decided by casting lots, or in any other way which may be agreed upon by and between the persons for whom such tie vote was cast. No election shall be set aside for want of formality in balloting by such members, or certifying or remitting the returns of any such election by said captain or officer in charge.

Annual election for member; term.

SECTION 6. That at all elections of the persons from the fire department to be members of such board as herein provided, after the first election there shall be but one person elected annually, and each person elected shall serve for the term of six years and until his successor is duly elected, except in the event of the death or resignation of any member of such board that shall have been elected as herein provided before the expiration of his term of office, in which event the said members of the fire department shall, within thirty days after the death or resignation of any such member, and after two weeks' notice of the same shall have been posted by the secretary of the board in each engine, chemical engine, fire boat, hook or [and] ladder or hose company and fire alarm telegraph company house, and at the general office of such fire department of the time of such election, the members of the said fire department shall proceed to the nomination and election of such successor in the manner hereinbefore provided, except that there shall be but two persons nominated for each vacancy that is to be filled.

Death or resignation of elected member.

President and secretary of board.

SECTION 7. The mayor in such cities shall also be the president of said board of trustees of the firemen's pension fund. At the first regular meeting of the said board after each annual election as aforesaid, the said board shall elect one of their number secretary to serve until his successor is elected and qualified. It is hereby made the duty of the said secretary to keep a full record of all the proceedings of the

said board of trustees, and all proceedings taken by it in regard to the said firemen's pension fund, and he shall receive the sum of $100.00 per annum for all services performed by him as such secretary, which sum shall be made payable as such board of trustees shall provide.

Meetings of board.

SECTION 8. Meetings of the said board of trustees shall be held regularly on the first Tuesday of each and every month, and at such other times as may be provided by the by-laws of such board. Four members of such board shall be a quorum for the transaction of any and all business that may come before it, and a less number at any meeting may adjourn to any date, and special meetings may be called by the president in such manner as may be provided by by-laws of the board. All regular meetings shall be held at the general office of the fire department of any such city.

Tax on foreign insurance companies applied to pension fund.

SECTION 9. That the county treasurers of counties containing a city of the first grade of the second class shall, annually, at the time of their annual settlement with the auditors of their respective counties, place to the credit of such city one-half of the amount to which such city is entitled under its annual levy of all the taxes paid into the treasury of such county by insurance companies incorporated by the authority of any other state or government, and doing business in any such city, on the gross receipts of every such insurance company, under and by virtue of the provisions of section 2745 of the Revised Statutes, during the half year preceding such annual settlement, and the money so paid over to such treasurer shall, together with the amount heretofore so paid, constitute a pension fund for the purposes and objects hereinafter set forth.

Failure of such companies to make return of gross receipts; penalty.

SECTION 10. In case any such insurance company shall fail to make return to the office of the auditor of the county in which the office or agency of such insurance company may be kept, in the month of February, annually, the amount of the gross receipts of such agency for entry upon the tax list of the proper county, such auditor shall forthwith give notice of such failure to the superintendent of insurance, and said superintendent shall, upon the receipt of such notice from said auditor, forthwith revoke and recall the license and authority to such insurance company to do or transact business within this state, and no renewal of authority shall be granted to such insurance company for three years after such revocation, and it shall be prohibited from transacting any business in this state until again duly licensed and authorized so to do, and the said returns shall have been duly made. In each and every case of failure of the said auditor to give such notice to said superintendent of insurance, said auditor being cognizant of the existence of such company and of the transaction of business by the same, such auditor shall forfeit and pay to said city, for the use and benefit of said pension fund, the sum of one hundred dollars, such forfeiture to be recovered of said auditor in an action at law therefor, brought against him by any per-

Penalty for neglect of duty by auditor of Franklin county.

son in the name of any such city, and before any court of competent jurisdiction.

Annual statement by such auditor.

SECTION 11. That it shall be the duty of the said auditor to make out and deliver to said board of trustees annually, on the first of May in each and every year hereafter, a correct statement of the name and agent's name of every such insurance company so doing business in said city, together with the amount of the gross receipts of every such insurance company, as returned by said agent or company to said auditor for the year previous to the first day of May. In case of the failure of said auditor to make out and deliver to said board of trustees any such annual statement at the time named, in each and every year hereafter, such auditor shall forfeit and pay to said board of trustees, for the use and benefit of said pension fund, the sum of five hundred dollars, said forfeiture to be used [sued] for and recovered of such auditor in an action at law, brought against him by any person in the name of any such city, and before any court of competent jurisdiction.

Penalty for neglect.

Annual statement by treasurer of Franklin county.

SECTION 12. That it shall be the duty of the treasurer of said county to make out and deliver to the said board of trustees, on the first day of January in each and every year hereafter, a statement of the name of every such insurance company doing business in said city, together with the amount of taxes paid into the treasury of such county by such insurance company, for the year or part thereof, prior to the making and delivery of such semi-annual statements of such treasurer to such board of trustees.

Other revenues of pension fund.

SECTION 13. That the person or persons who from time to time is or are the official head of the fire department in any such city may impose fines upon any member of the fire department in any such city, by way of discipline or punishment, detain and collect the same from the pay and salary of such member; and such fines together with all the rewards in money, fees, gifts and emoluments that may be paid or given especially to such pension fund, on account of extraordinary service by said fire department or any member thereof (except when allowed to be retained by such member, or given to endow a medal or other permanent or competitive reward), and all proceeds of suits for penalties for the violation of any provision of any statute of this state, or ordinances of said city, with the execution of which the said fire department or any of its officers or members is now or may be hereafter charged, and any license or other fees payable under the same, shall be paid to and received by the said city treasurer, and applied by him to the said pension fund. And the said board of trustees may take by gift, grant, devise or bequest, any money, real estate or personal property, right of property or other valuable thing, the annual income of which shall not exceed fifty thousand dollars in the whole, and such money, real estate or personal property, right of property or other valuable thing so obtained, shall in like manner be paid to and applied by such city treasurer to the said pension fund by deposit, investment or profit, as hereinafter provided, or as

such board of trustees shall direct; provided that the sum of one hundred thousand dollars, which may be received and accumulated under the provisions of this act, shall be, when so received and accumulated, retained as a permanent fund, the annual income of which may alone be available for uses and purposes of the said pension fund. Permanent fund.

SECTION 14. That the treasurer of every such city shall execute a bond, with sufficient sureties to the city, for the faithful performance of his duties as the custodian of such pension fund, in like manner as his present official bond as such treasurer is drawn, executed and filed, and in such penal sum as the said board of trustees shall direct. Bond of city treasurer.

SECTION 15. That the said board of trustees shall have power to draw such pension fund from the treasury of such city and may invest the said fund in the name of the board of trustees of the firemen's pension fund, in interest bearing bonds of the United States, the state of Ohio or any county in this state or of said cities, or of any township, incorporated village, or other municipal corporation in the said state of Ohio, when the power to issue said bonds is derived from either general or special legislative authority; that the said bonds shall, before the same are issued to the said board of trustees, be registered in the office of the treasurer of the United States, or said state of Ohio, or county, city, township, incorporated village or municipal corporation in this state issuing the same, and bear upon their face the printed or legible written fact of such registry; together with the book and page, and the date and place of such registry. And in such cities it shall be the duty of the trustees of the sinking fund of said cities, upon the application being made to them for that purpose by the trustees of the firemen's pension fund, to receive such bonds, and safely keep the same and deliver the same to said board of trustees of the firemen's pension fund, only on the order of said board, signed by the president and two members thereof, and countersigned by the secretary. The said board of trustees shall make reports to the common council of the condition of said pension fund on the first day of January of each and every year. Investment of pension fund in bonds. Registry of bonds. Custodian of bonds. Annual report of board.

SECTION 16. If any member of the fire department of any such city shall, while in the performance of his duty, become, or be found upon examination by a medical officer ordered by said board of trustees, to be physically or mentally permanently disabled, so as to render necessary his retirement from all services in the said fire department, the chief engineer, chief fire marshal or fire chief of such fire department shall have power to retire such permanently disabled member from all service in the said fire department, and upon such retirement, the said board of trustees shall authorize the payment to such permanently disabled member, monthly, from the said pension fund, the sum of fifty ($50) dollars. If any member of said fire department shall, while in the performance of his duty, be killed, or die from the effects of any injury thus received, or of any Beneficiaries of fund: member of fire department permanently disabled in performance of duty. Widow, children and parents of member killed in

performance of duty, dying from injuries thus received, or disease thus contracted, or after ten years' service, or while retired.

disease thus contracted, or if any member of said fire department shall, after ten years' service therein, or while retired, die from any cause, such member so killed or dying from said injuries or disease, or after said term of service or retirement, shall leave a widow or minor child or children under sixteen years of age, or a mother who depended upon him for support, said board of trustees shall authorize and direct the payment from the said pension fund the following sums monthly, to-wit: To such widow while unmarried, the sum of twenty dollars; to the guardian of such minor child or children, six dollars for each of said children until each child shall respectively arrive at the age of sixteen years, and twenty dollars to such dependent mother until she remarries, and in case there is no dependent mother but a father who is dependent upon such member for support, such dependent father shall be paid the same sum monthly, as provided herein to be paid to a dependent mother; provided, however, that if at any time there should not be sufficient money or bonds to pay each person entitled to the benefit thereof the full amount as hereinbefore stated, then, and in that event, an equal percentage of said monthly payments shall be made to each beneficiary thereof, until said fund is so replenished as to warrant payment in full to each of said beneficiaries.

Pro-rating of payments.

Member partially permanently disabled in performance of duty or before the end of ten years' service.

SECTION 17. In case of the partial permanent disability of any member of said fire department, caused in or induced by the actual performance of the duties of his position as such member, or which shall have occurred before the expiration of ten years' service in the said fire department, the chief engineer, fire marshal or fire chief of such fire department, upon an examination of such partially permanently disabled member by the medical officer ordered by the said board of trustees, shall have power to relieve such partially permanently disabled member from actual service at fires, and the said board of trustees, upon such member being so relieved, shall authorize the payment to such partially permanently disabled member, monthly from the said pension fund, a sum not less than thirty dollars or more than forty dollars, or in proportion to the number of beneficiaries of said fund (as the condition of said pension fund) may warrant. The member so partially permanently disabled and relieved from active service at fires, shall remain a member of said fire department, subject to the rules governing the same, and may be ordered by the said official head of said fire department to the performance of such light duties as the medical officer ordered by said official head of said fire department may certify him qualified to perform, and the said official head of said fire department shall, out of the general fund of said fire department, fix and pay such additional compensation for the performance of said light duties, as the circumstances and merit of each case (in its discretion) may warrant. Such pension and additional compensation so paid to such partially permanently disabled member mentioned in this and the preceding sections of this act, shall be in lieu of any salary received by such member at the date of his being so relieved

from active service at fires, and the said city shall not be liable for the payment of any other claim or demand for services hereafter rendered by such partially permanently disabled member.

Member retired.

SECTION 18. Any member of the said fire department, after twenty-five years' service in said fire department, shall, upon his written application to the said board of fire commissioners, be retired from all service in said fire department, and the said board of trustees, upon such member being so retired, shall authorize the payment to such retired member, monthly, from the said pension fund, the sum of forty dollars, or in proportion to the number of beneficiaries of said fund as the condition of said pension fund will warrant. That the payment of such pension shall be made by drafts drawn by the order of said board of trustees, signed by the president and countersigned by the said secretary.

Pension fund not liable to attachment, execution, etc.

SECTION 19. That no portion of the said pension fund shall, either before or after its order of distribution by the said board of trustees to such disabled member of said fire department, or to the widow, or guardian of the minor child or children, or to the dependent mother or father of a deceased or retired member of such department, be held, seized, taken, subjugated, detained or levied on by virtue of any attachment, execution, injunction, writ, interlocutory or other order or decree, or any process or proceeding whatever, issued out of or by any court in this state, for the payment or satisfaction, in whole or in part, of any debt, damages claimed, and judgment, fine or amercement of such member or his said widow, or the guardian of his minor child or children, or of the dependent mother or father of any deceased member; but the said fund shall be sacredly held, kept, secured, promoted and distributed, for the purpose of pensioning the persons named in this act, and for no other purposes whatever; provided, however, that no person shall be considered a member of the fire department within the meaning of this act, or entitled to its benefits, except the fire chief and assistant fire chiefs, fire marshal and assistant fire marshals, captains, lieutenants, engineers, stokers, pipemen, drivers, stablemen, truckmen, assistant superintendents, operators, repairers or linemen of the fire alarm telegraph, and all substitutes regularly appointed by the said fire marshal or fire chief, according to the rules of said fire department, while in the actual performance of their duties as substitute members.

Who considered member of fire department and entitled to benefits.

Repeals, etc.

SECTION 20. That all acts or parts of acts inconsistent with this act be and the same are hereby repealed; and this act shall take effect on its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 13, 1892.
222G

[House Bill No. 254.]

AN ACT

To amend section 15 of an act entitled "An act to authorize the improvement of public roads in certain townships by the township trustees thereof," passed March 19, 1891 (O. L. v. 88, p. 144).

Improvement of public roads (Polk township, Crawford county):

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 15 of an act entitled "An act to authorize the improvement of public roads in certain townships by the township trustees thereof," passed March 19, 1891, be and the same is hereby amended so as to read as follows:

Superintendent of improved roads

Sec. 15. Before entering upon the improvement of any roads under the provisions of this act, the trustees of any such township shall employ some competent engineer, who shall be known as superintendent of improved roads, who shall be paid not more than four dollars per day, for the time actually employed, out of the funds raised for the improvement of roads. He shall, before entering upon his duties, take and subscribe an oath or affirmation to faithfully and honestly discharge his duties, and shall give bond in the sum of five thousand dollars, payable to the trustees, for the use and benefit of such township, conditioned that he will faithfully and honestly discharge his duties, all and singular as superintendent of improved roads of such township; and for the duties performed under the provisions of this act the trustees shall, upon filing an itemized statement with the clerk of the township, as provided for in section 1530 R. S., as amended April 21, 1890, receive two dollars per day in addition to the fees allowed in said section 1530 for other services rendered for the time actually employed, but such compensation shall in no one year exceed the sum of eighty dollars each for the services performed under said original act, and the trustees shall allow the township clerk for services performed under this act a reasonable compensation not to exceed fifty dollars in any one year.

Compensation of township trustees and clerk.

Repeals.

SECTION 2. That said original section 15 be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.

ANDREW L. HARRIS,
President of the Senate.

Passed April 13, 1892.

223G

[Senate Bill No. 268.]

AN ACT

To amend an act passed March 25, 1884 (O. L. v. 81, p. 77), entitled "An act to amend sections 19 and 29 of an act entitled 'an act to provide a license on trades, business and professions carried on in cities of the first grade of the first class, and providing for the enforcement and collection of fines and penalties for carrying on business without license and for other purposes,'" passed April 6, 1883 (O. L. v. 80, p. 129).

Licenses, etc. (Cincinnati):

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That an act passed March 25th, 1884, entitled "An act to amend sections 19 and 29 of an act entitled 'an act to provide a license on trades, business and professions carried on in cities of the first grade of the first class, and providing for the enforcement and collection of fines and penalties for carrying on business without license, and for other purposes,'" passed April 6th, 1883 (O. L. v. 80, p. 77 [129]), be so amended as to read as follows:

Peddlers or hawkers.

Sec. 19. Peddlers or hawkers of produce or goods from vehicles drawn by animal power shall pay a license of twenty-five ($25.00) dollars per annum, and those selling goods from vehicles drawn by hand or carried by one or more persons shall pay a license fee of five ($5) dollars per annum. Peddlers or hawkers of meat, fish, game, poultry, oysters, vegetables, fruit, candies, groceries, produce and dairy products from stands, shall pay a license fee of fifteen ($15.00) dollars per annum. Provided, that any person selling agricultural produce of his own raising shall not be liable for license for selling, hawking or peddling the same in any mode or manner in the markets, public streets or alleys of said city.

Agricultural produce.

Repeals.

SECTION 2. That said section 19, as passed March 25th, 1884 (O. L. v. 81, p. 77), be and the same is hereby repealed.

SECTION 3 This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.

ANDREW L. HARRIS,
President of the Senate.

Passed April 13, 1892.
224G

[Senate Bill No. 284]

AN ACT

To change the name of the asylum for epileptics and epileptic insane and to govern the management of the same.

Ohio hospital for epileptics.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the name of the asylum for epileptics and epileptic insane, now in process of erection at Gallipolis, shall hereafter be known and designated as the Ohio hospital for epileptics.

Enumeration of epileptics.

SECTION 2. As soon after the passage of this act as practicable, and once every five years thereafter, the board of trustees of said hospital may cause an enumeration to be made of all persons afflicted with epilepsy, who are residents of Ohio; such enumeration shall include a listing of the age, sex, race, the general mental and physical condition of the persons so afflicted, together with the residence, and whether under the charge of guardian or parents, and also (where known) the cause and duration of such epileptic condition. The board of state charities, probate judges, superintendents of state institutions and infirmaries are required to furnish such information in regard to epileptic persons as said trustees may need to complete such enumerations.

Who admissible as inmates.

SECTION 3. All insane persons who are also epileptic, and whose insanity has developed during their residence in the state, together with all epileptic persons who have been residents of the state of Ohio for one year, next preceding application for admission, shall be considered admissible as

Apportionment.

inmates of the above named hospital; the number of inmates shall be apportioned among the several counties of the state in proportion to their population

Form of application.

SECTION 4. After the enumeration provided for in section 2 of this act, the board of trustees of the said hospital shall cause blank forms of application to be furnished to the judge of the probate court of each county, to be distributed to all admissible persons or their parents or guardians, or to the superintendents of any infirmary or asylum where such persons may be inmates, which form of application shall set forth the information provided for in said enumeration, together with a statement of some reputable physician that the applicant is admissible under the requirements of said board of trustees and free from infectious and contagious diseases

Admission of patients.

and vermin; and when the hospital is ready for the reception of patients, the quota which can be accommodated from each county shall be apportioned among the several classes of epileptics, as may be deemed by the said trustees for the best interests of the state. All parties to be received under such rules and regulations as to the clothing and otherwise as may be provided by said board of trustees; but no person shall be received unless application for admission is duly made by such person or representative to the probate court of the county of which such person is a resident, and a certificate for the admission of such person to said epileptic hospital be made by said court after examination under and in conformity to rules prescribed by the board of trustees of said hospital.

Discharge of patients.

SECTION 5. In the discharge of patients from the hospital, such regulations shall be made as in the judgment of the board of trustees are for the best interest for [of] the patient and the state.

Administrative force, medical skill, and conduct of

SECTION 6. The board of trustees shall provide such administrative force and medical skill as the best interests of the institution require, and shall conduct the hospital as now

provided by law for the other benevolent institutions of the state. hospital.

SECTION 7. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 13, 1892.
225G

[House Bill No. 295.]

AN ACT

To protect employes and guarantee their right to belong to labor organizations.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That it shall be unlawful for any individual, or member of any firm, or agent, officer or employe of any company or corporation to prevent employes from forming, joining and belonging to any lawful labor organization, and any such individual, member, agent, officer or employe that coerces or attempts to coerce employes, by discharging or threatening to discharge from their employ or the employ of any firm, company or corporation, because of their connection with such lawful labor organization, shall be guilty of a misdemeanor, and upon conviction thereof in any court of competent jurisdiction shall be fined in any sum not exceeding one hundred dollars or imprisoned for not more than six months, or both, in the discretion of the court. Preventing employe from joining labor organization. Penalty.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed April 14, 1892.
226G

[House Bill No. 313.]

AN ACT

To supplement section 1230 of the Revised Statutes of Ohio and to repeal section 1230a of an act entitled "An act to amend sections 546, 547, 1117, 1157, 1260, and to supplement sections 546, 1069, 1070, 1157, 1230 and 1260, of the Revised Statutes, and to repeal certain sections of the Revised Statutes therein named" (O. L., vol. 88, p. 578), passed May 4, 1891.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 1230 of the Revised Statutes, as supple- Sheriff.

mented May 4, 1891, be supplemented by section 1230*b*, as follows:

Fees and compensation of sheriff in certain counties.

Sec. 1230*b*. In all counties which at the last preceding federal census had a population of twenty-two thousand five hundred or more, and for which there is no provision made by law for the payment of the sheriff, he shall receive the following fees and compensation: For the service of every writ or summons and the return thereof (subpœna only excepted), when only one defendant is named therein, twenty-five cents each; additional defendant, fifteen cents; levying each writ of execution on real or personal estate, or the service of an order of arrest upon the body of each defendant named in the writ, twenty-five cents, and mileage as in other cases; every bail bond, thirty cents; committing to prison or discharging therefrom, fifty cents; attending before judge or court, fifty cents, to be paid by the county unless upon a conviction in which case it shall be taxed in the cost bill and paid by the state; serving a writ of possession, with the aid of the county, one dollar and twenty-five cents; and without the aid of the county, sixty cents. The copy of any writ or process necessary to complete a service, for each one hundred words, six cents; serving and returning a subpœna for each person named therein, ten cents; serving and returning a subpœna for each person named therein to appear before the grand jury, ten cents, to be paid by the county upon the certificate of the clerk; serving and returning venire for petit or grand jury, traveling fees included, to be paid by the county, four dollars, or summoning a jury, to be allowed on each issue, including traveling fees, forty cents; summoning a special jury, including traveling fees, four dollars; traveling fees, upon all writs, precepts and subpœnas, going and returning, eight cents per mile; provided, that where more than one person be named in such writ, mileage shall be charged for the shortest distance necessary to be traveled; poundage on all moneys actually made and paid to the sheriff on executions, decree, or sale of real estate (except on writs for the sale of real estate in partition), one and one-half per centum on the first thousand dollars, and one per centum on all sums over one thousand dollars; but where such real estate is bid off and purchased by a party entitled to part of the proceeds, the sheriff shall not be entitled to any poundage, except on the amount over and above the claim of such party; service of copy of pleading and return, the same fees as are allowed for the service of a summons, including mileage, as herein provided; making a deed of land sold on execution, decree, or order of court, to be paid by the purchaser, one dollar and seventy-five cents; serving any person with an order of court, and making a return thereof, twenty-five cents, and mileage as on service of summons; calling a jury, ten cents; opening court and calling each action, to be charged but once each term of the court in which the cause is pending, ten cents; calling each witness, five cents; bringing up a person on habeas corpus, sixty cents; summoning a jury in forcible entry or detainer, or in forcible entry only, one dollar and fifty cents; serving a writ of restitution, sixty cents, and mileage thereon

as in other cases; calling an inquest to appraise lands and tenements, under execution, one dollar; all advertisements in a newspaper, twenty-five cents, in addition to the price of printing; all written advertisements for the sale of property, either real or personal, twenty five cents; executing a writ of partition, one dollar, and traveling fees as in other cases; selling real estate, under an order of court in partition, three-fourths of one per centum where the amount of the sale does not exceed two thousand dollars, and one-fourth of one per centum on the amount over and above that sum.

Repeals.

SECTION 2. That supplementary section 1230*a* of the Revised Statutes of Ohio, enacted May 4, 1891 (O. L., v. 88, p. 578), be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 13, 1892.
227G

[House Bill No. 331.]

AN ACT

To amend sections 1467 and 1468 and to supplement section 1473*a* of the Revised Statutes of Ohio.

Cemeteries:

SECTION 1. *Be it enacted by the General Assemb'y of the State of Ohio,* That sections 1467 and 1468 of the Revised Statutes of Ohio be so amended as to read as follows: and that section 1473 of the Revised Statutes be supplemented with 1473*a*.

Sale of lots, and deeds therefor.

Sec. 1467. The township trustees shall upon application sell at a reasonable price such number of lots as the public wants demand for burial purposes, and purchasers of all lots sold shall upon complying with the terms of sale be entitled to receive a deed or deeds for the same which the trustees are required to execute, and which shall be recorded in a book provided for that purpose by the township clerk, the expense of recording to be paid by the person receiving said deed. Upon the application of a head of a family living in said township the trustees shall make out and deliver to such applicant a deed for a suitable lot for the burial of his or her family without charge, if in the opinion of said trustees by reason of the circumstances of said family payment therefor would be oppressive.

Deeds without charge.

Proceeds of sale of lots.

Sec. 1468. The proceeds arising from the sale of lots as herein provided for shall be used for the purpose of improving and embellishing said grounds, and it shall be the duty of the trustees to build and maintain proper and secure fences around all such cemeteries to be paid for out of the township funds.

Fences.

Abandonment and removal of graveyard, burial-ground or cemetery owned by city or village, in certain cases.

Sec. 1473*a*. That where any graveyard, burial ground or cemetery is located without the corporate limits of any city or village, and not further away therefrom than one mile, and the title to and the possession of such graveyard, burial-ground or cemetery is in such city or village, or the same is under control of any of the authorities of any city or village, and said city or village has failed to protect the same or keep it inclosed with fences for two years, any five freeholders whose property is in the vicinity of such graveyard, burial-ground or cemetery, may apply by petition to the probate court of the county where such graveyard, burial-ground or cemetery is located, stating in their petition that such city or village has failed to protect such graveyard, burial-ground or cemetery, and asking for an abandonment or removal of such burial-ground, graveyard or cemetery; which upon final hearing, if it appears to the court to be to the public interest to have such graveyard, burial-ground or cemetery abandoned and removed, it shall so order. In which action such city or village shall be made a defendant and shall be served with summons as in other actions provided. Should such city or village fail to remove such graveyard, burial-ground or cemetery for a period of six months after it has been so ordered by the court, then the court shall order such premises sold as upon execution; provided, that such sale or other transfer of such land shall not operate to give a purchaser possession of the same until the bodies therein interred shall have been removed, as provided in section 2553 of the Revised Statutes of Ohio.

Repeals.

SECTION 2. That sections 1467 and 1468 of the Revised Statutes of Ohio be and the same are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives
ELBERT L. LAMPSON.
President pro tem. of the Senate

Passed April 14, 1892.
228G

[House Bill No. 397.]

AN ACT

To amend section 2824 of the Revised Statutes of Ohio, as amended May 1, 1891.

Levying taxes:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2824 of the Revised Statutes, as amended May 1, 1891, be and the same is hereby amended so as to read as follows:

Levy of taxes for county road and bridge purposes.

Sec. 2824. The commissioners, at their March or June sessions, annually, may levy on each dollar of valuation of taxable property within their county, for road and bridge purposes, as follows: In a county where the valuation of taxable property exceeds eighty millions and does not exceed

one hundred and twenty millions dollars, five-tenths of a mill; where the amount exceeds fifty millions and does not exceed eighty millions dollars, seven-tenths of a mill; where the amount exceeds twenty millions and does not exceed fifty millions dollars, one mill and one-tenth; where the amount exceeds ten millions and does not exceed twenty millions dollars, one mill and five tenths; where the amount exceeds five millions and does not exceed ten millions dollars, three mills; and where the amount is less than five millions dollars, five mills and five-tenths; and of the tax so levied, the commissioners shall set apart such portion as they may deem proper, to be applied to the building and repair of bridges, which portion so set apart shall be called a bridge fund, and shall be entered on the duplicate in a separate column, and shall be collected in money, and expended, except as may be otherwise provided by law, under the direction of the commissioners in building bridges and culverts, or in repairing the same; provided, that in any county containing a city of the first grade of the first class, where the valuation of taxable property exceeds two hundred millions of dollars the commissioners of said county may levy on each dollar of valuation of taxable property within said county, for bridge purposes exclusively, not to exceed one-half of a mill, which shall be collected in money and placed by the auditor to the credit of the bridge fund of the county, and the same shall be expended by the commissioners in building bridges and culverts, and in repairing and making fills and approaches to the same in the townships outside of the corporate limits of said city, and for no other purpose whatever; except that a portion of said fund collected in the said county, amounting to not less than a levy of one-sixth of a mill on each dollar of valuation of taxable property within said county, in all cases where the board of legislation of said city of the first grade of the first class shall demand it, shall be paid into the city treasury of said city and shall be expended by the board of administration of said city, for the purpose of building and repairing bridges within the corporate limits of the same; provided further, that in case an important bridge belonging to or maintained by any county has been or shall be destroyed or become dangerous to public travel by decay or otherwise, and the restoration thereof is deemed necessary for public accommodation, the commissioners may levy a special tax for that purpose, not exceeding one mill and five-tenths, the proceeds of which shall be applied solely to such restoration; and the commissioners may anticipate the collection of such special tax by borrowing any sum not exceeding the amount so specially levied or to be levied, at any rate of interest not exceeding six per centum, and issue notes or bonds therefor, payable upon the collection of such special tax; provided further, that in all cities of the second grade of the first class and all cities of the second class, one-half the proportion of said bridge fund collected upon the property within said cities, in all cases where the city council shall demand it,

Bridge fund.

Hamilton county.

Cincinnati.

Special tax to restore important bridge.

Anticipation thereof.

Cleveland and cities second class.

shall be paid into the city treasury, and shall be expended by such city for the purpose of building and repairing bridges; and provided further, that in cities having at the last federal census or at any subsequent federal census a population of 8,273, the whole of the proportion of said bridge fund collected upon the property within said city shall, upon demand of the council of said city therefor, be paid into the treasury of said city, and shall be expended by said city for the purpose of building and maintaining bridges therein; provided further, that the commissioners of Montgomery county shall levy not exceeding one mill and one-tenth for road and bridge purposes, and that said levy shall only be on property subject to taxation outside the city of Dayton, and the proceeds of such levy shall be applied exclusively to roads and bridges outside of said city; and the council of said city may annually levy on the taxable property within the same, for bridge purposes, a like tax of one mill and one-tenth in addition to the total aggregate of taxation now authorized by said council, to be expended for building and repairing bridges within said city.

Marietta.

Montgomery county.

Dayton.

Repeals, etc.

SECTION 2. That said original section 2824, as amended May 1, 1891, be and the same is hereby repealed, and this act shall take effect from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.

ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed April 14, 1892.

229G

[House Bill No. 402.]

AN ACT

To amend section 2689a of the Revised Statutes of Ohio, as amended May 1, 1891.

Finance and taxation:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That section 2689a of the Revised Statutes of Ohio, as amended May 1, 1891, be so amended as to read as follows:

Maximum of municipal taxes allowable in municipalities other than Cincinnati.

Sec. 2689a. The aggregate of all taxes levied or ordered by any other municipal corporation than cities of the first grade of the first class, including the levy for general purposes, above the tax for county and state purposes and excluding the tax for schools and school-house purposes, shall not exceed in any one year in cities of the second grade of the first class nine and one-half mills, for sewer purposes, three mills, for paving streets, one mill; and such further rates as may be necessary to pay the interest on the public debt, and to create a sinking fund as provided in section two thousand seven hundred and twelve; in cities of the third grade of the first class, fourteen mills; provided, however, that out of the proceeds of such levy the interest on the indebtedness of such corporation shall be first paid; in cities of the first and second grades of the second class, eight mills, and in addition thereto,

such further rate, not exceeding five-eighths of one mill, as may be necessary to create a sinking fund for the payment of the principal and interest of the bonds of said cities that may hereafter be issued for the purpose of building and maintaining main trunk sewers in such cities; in cities of the third grade of the second class, ten mills, and in cities of the third grade, *a*, of the second class, ten mills; provided, that in cities of the third grade of the second class, which, by the federal census of 1890 had a population exceeding fifteen thousand eight hundred (15,800), such cities, for the purpose of constructing wharves and landings and keeping the same in repair, are authorized to levy such further sum, not exceeding eighteen (18) mills in all, as may be necessary to provide a fund for the construction and keeping in repair of such wharves and landings; in cities of the fourth grade of the second class, nine mills; in villages of the first class, eight mills, and in all other villages, ten mills on each dollar of the value of any property as valued for taxation on the county tax lists; provided, however, that in all cities of the fourth grade of the second class such further rate may be levied in addition to the foregoing limitation as will enable the cities to comply with the terms of any contract entered into by such cities, or any of them, under the provisions of section two thousand four hundred and thirty four, as amended January 29, 1885 (O. L., v. 82, p. 11); and also provided, that the councils of the municipalities mentioned in this section shall, annually, at the time the rate of levy is fixed, provide by ordinance for the distribution of the tax among the several departments of the corporation in such proportion to their need as the council may deem necessary; and at no time thereafter shall the amounts specified as necessary for the purposes be changed; and all transfers of funds from one account to another are hereby expressly prohibited.

Distribution of such taxes.

SECTION 2. That section 2689*a* of the Revised Statutes, as amended May 1, 1891, is hereby repealed.

Repeals.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 13, 1892.
230G

[House Bill No. 456.]

AN ACT

To amend supplementary section 3375*a* of the Revised Statutes, passed April 23, 1891 (88 O. L., p. 381).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That supplementary section 3375*a* of the Revised Statutes, passed April 23, 1891, be so amended as to read as follows:

Railroad companies:

Who permitted to ride upon freight trains.

Sec. 3375a. Physicians in the discharge of their professional duties and sheriffs and deputy sheriffs in the performance of their official duties shall be permitted to ride, at their own risk, and take a prisoner or prisoners upon freight trains, between stations where such trains stop, paying therefor the regular passenger fare.

Repeals, etc.

SECTION 2. That said original supplementary section 3375a be and the same is hereby repealed and this act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 13, 1892.
231G

[House Bill No. 457.]

AN ACT

Requiring instruction and practice in the common schools of cities of the first and second class and certain educational institutions of physical culture.

Physical culture in common schools of cities first and second class, and certain educational institutions.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That physical culture which shall include calisthenics, shall be included in the branches to be regularly taught in the common schools in cities of the first and second class, and in all educational institutions supported wholly or in part by money received from the state, and it shall be the duty of boards of education of cities of the first and second class, and boards of such educational institutions, to make provision in the schools and institutions under their jurisdiction for the teaching of physical culture and calisthenics, and to adopt such methods as shall adapt the same to the capacity of the pupils in the various grades therein.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 13, 1892.
232G

[House Bill No. 486.]

AN ACT

To authorize the election of one additional judge in the second subdivision of the ninth judicial district.

Additional judge in second subdivis-

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That there shall be elected in the second subdivision

of the ninth judicial district of Ohio, composed of the counties of Trumbull, Mahoning and Portage, by the electors thereof, under and in pursuance of the general election laws of the state of Ohio governing the election of judges of the court of common pleas, at the regular November election held in 1892, one judge of the court of common pleas in addition to the two judges heretofore provided for by law for said subdivision of said ninth judicial district. Said additional judge shall be elected for the term of five years; his term of office shall begin on the fourth Monday of April, A. D. 1893, and he shall have all the powers and be subject to all the obligations and shall perform all the duties pertaining to the said office of judge of said court of common pleas; he shall receive the same compensation as other common pleas judges, and vacancies, if any occurring in his office, shall be filled as provided by law in such cases.

Ion ninth district; election.

Term.

Powers, obligations and duties.

Compensation; vacancies.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 13, 1892.
233G

[House Bill No. 490.]

AN ACT

To apportion the state of Ohio into districts for the inspection of oils, and to amend sections 395, 396, 398 and 402 of the Revised Statutes.

Inspectors of oils:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 395, 396, 398 and 402 of the Revised Statutes of the state of Ohio be and the same are hereby amended so as to read as follows:

Districts for inspection of oils; first district.

SEC. 395. For the purpose of inspection of oils, as provided in this chapter, the state of Ohio shall be and is hereby divided into oil districts as follows: The counties of Ashtabula, Lake, Cuyahoga, Lorain, Ottawa, Lucas, Fulton, Williams, Defiance, Henry, Wood, Sandusky, Erie, Huron, Medina, Summit, Portage, Geauga, Trumbull, Mahoning, Columbiana, Stark, Wayne, Seneca, Hancock, Putnam, Paulding, Van Wert, Allen, Hardin and Wyandot shall compose the first district. The counties of Jefferson, Carroll, Harrison, Tuscarawas, Coshocton, Holmes, Licking, Knox, Ashland, Richland, Crawford, Morrow, Delaware, Marion, Union, Logan, Champaign, Shelby, Auglaize, Mercer, Darke, Miami, Clark, Madison, Franklin, Muskingum, Guernsey, Belmont, Monroe, Noble, Washington, Morgan, Perry, Fairfield, Pickaway, Fayette, Greene, Montgomery, Preble, Butler, Warren, Clinton, Hamilton, Clermont, Brown, Adams, Highland, Ross, Pike, Scioto, Lawrence, Jackson, Vinton, Hocking, Athens, Meigs, Gallia and the Pittsburgh district shall compose the second

Second district.

Inspectors of oils: appointment and term.

district. Immediately upon the taking effect of this act the governor shall appoint by and with the consent of the senate two skilled and suitable persons who are not interested in manufacturing, dealing or reducing any illuminating oils manufactured from petroleum, one of whom shall be the inspector of oils for the first district of Ohio, and one of whom shall be the inspector of oils for the second district of Ohio, whose term of office shall be for two years, to commence from the 15th day of May, 1892, and continue until his successor

Vacancies.

shall be appointed and qualified; and in case of a vacancy occurring by death, resignation or otherwise, the governor shall fill the same as provided in section twelve of the Revised

Present state inspector.

Statutes of Ohio; provided that the present state inspector of oils shall continue in office and perform the duties of in-

Deputies.

spector of oils under this act until May 15th, 1892. The inspectors when so appointed and qualified are empowered to appoint a suitable number of deputies who are not interested in manufacturing, dealing or vending any illuminating oils manufactured from petroleum, who are empowered to perform the duties of inspection, and are liable to the same penalties as the inspectors; and the inspectors may remove any of the deputies for reasonable cause and appoint others in their

Present deputies.

place; provided, that all deputy supervisors [inspectors] of oils now in office shall remain and perform the duties thereof

Duties of inspectors and deputies.

under this act until May 15th, 1892. The inspectors and their deputies shall provide themselves at their own expense with the necessary instruments and apparatus, and stencils, brands and stamps for testing and marking the quality of illuminating oils, and when called upon for that purpose to promptly inspect all oils herein mentioned, and to reject for illuminating purposes, for consumption in this state, all oils which, by being adulterated with naphtha, benzine, paraffine or other light oils or other substance, or for any other reason, will not stand and be equal to the test herein prescribed. The inspectors shall prepare the forms of all stencils, brands and stamps provided for in this chapter, and also such general regulations and rules for inspection, not inconsistent with the terms and provisions of this chapter, and such rules and regulations shall be uniform and binding on all deputy inspectors in both the districts of the state. The inspectors and their deputies are required to test the quality of all mineral or petroleum oils, or any oil, fluid, or substance which is a product of petroleum, or into which petroleum or any product of petroleum enters, or is found as a constituent element, which is offered or intended to be offered for sale for illuminating purposes in this state, and if, upon such testing or examination, the same meets the requirements herein specified, the inspector or his deputies shall affix by stencil or brand on any package, cask or barrel containing the same, and by a stamp subscribe with his official signature, the word "approved,"

Lawful sale of illuminating oil.

with the date of such inspection; and it will then be lawful for any manufacturer, vender or dealer to sell the same to be consumed within the state as an illuminator; but if the oil so tested does not meet such requirements he shall mark by stencil or brand, in plain letters, on any package or barrel

containing the same, and by stamp subscribe with his official signature, the words "rejected for illuminating purposes," giving the date of such inspection; and it shall be unlawful for the owner thereof to sell oil so branded as rejected, to be consumed within the state for illuminating purposes; and if any person sells or offers for sale oil so rejected, he shall be deemed guilty of a misdemeanor, and shall be subject to a penalty in any sum not less than one thousand dollars, or be imprisoned in the county jail not exceeding twenty days, or both. Oil inspected in one district in accordance with the provisions of this act and approved shall not be subject to reinspection in the other district, except in case of fraud, mistake or error in the original inspection; but in no case shall a second fee be charged for inspection.

Unlawful sale of illuminating oil; penalty.

Reinspection.

Sec. 396. Whoever is appointed inspector or deputy inspector, shall, before he enters upon the discharge of the duties of his office, take an oath of office and file the same in the office of the secretary of state. Each inspector must execute a bond to the state in the sum of twenty thousand dollars, with sureties to be approved by the secretary of state, conditioned for the faithful performance of the duties imposed upon him by law, which bond shall be for the use of all persons in any way aggrieved or injured by the acts or neglect of the inspector, and the same shall be filed with the secretary of state. The deputy inspectors must each execute a bond to the state, in the sum of five thousand dollars, with sureties to be approved by the judge of probate of the county where the deputy is located, and file the same with the clerk of the court of common pleas of the county where he resides. Each inspector or deputy inspector is entitled to demand and receive from the owner or party calling on him, or for whom he performs the inspection, the sum of forty cents for a single barrel, package or cask; twenty-five cents each when the lot does not exceed ten in number; fifteen cents each when the lot does not exceed twenty in number; ten cents each when the lot does not exceed fifty in number; and five cents each for all lots exceeding fifty barrels; and all fees so accruing shall be a lien on the oil so inspected; each inspector, or deputy inspector, shall keep a true and accurate record of all oils so inspected and branded by him, which record shall state the date of inspection, number of barrels, and the name of the person for whom inspected, and such record shall be open to examination of any and all persons interested; and every deputy inspector shall, on the first Monday in each month, make a true and accurate return to the chief inspector of his district of all such inspections for the preceding month, giving the quantity inspected, the date of the inspection and the name of the persons for whom it was inspected; on the second Monday of November of each year, each chief inspector shall make and deliver to the governor a report of the inspection by himself and deputies during the preceding calendar year.

Oath of inspectors and deputies.

Bond of inspectors.

Bond of deputies.

Fees of inspectors and deputies.

Record of inspections.

Monthly returns of deputies.

Annual report of inspectors.

Sec. 398. Whoever knowingly uses for illuminating purposes any oil or product of petroleum, except such oil

Penalty for using uninspected oil.

known as crude petroleum, before the same has been inspected and branded by a chief inspector or his deputy, as hereinbefore provided, shall be fined in any sum not exceeding one hundred dollars nor less than twenty dollars.

Duty of inspectors and deputies as to violations of law; penalty.

Sec. 402. Any inspector or deputy inspector who shall know of the violation of any of the provisions of this chapter shall enter complaint before any court of competent jurisdiction against any person so offending; and in case any inspector or deputy inspector, having knowledge of the violation of the provisions of this chapter, shall neglect to enter complaint as required by and provided for in this chapter, he shall be fined in any sum not exceeding five hundred dollars, and be removed from his position as such inspector or deputy inspector.

SECTION 3 [2]. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 13, 1892.
234G

[House Bill No. 512.]

AN ACT.

To provide for the meeting of the decennial county board of equalization in any county containing a city of the first grade of the first class.

Board of revision (Hamilton county).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county auditor of any county containing a city of the first grade of the first class, shall call together the decennial county board of equalization, heretofore constituted under the provisions of the Revised Statutes of Ohio, to meet on the third Monday of April, 1892, and organize as a board of revision.

Session.

SECTION 2. The session of said county board of revision shall not be held for a longer period than six months.

Duties; laws governing.

SECTION 3. Said board shall consider only such of its previous acts as the county auditor, or any taxpayer may present to it for revision, and in all other respects shall be governed by the laws passed for the government of the decennial board of equalization.

Powers.

SECTION 4. The said board shall have power to appoint a clerk at a salary not to exceed $5.00 per day, to cite any owner of real estate before it, compel his or her attendance, examine witnesses and administer any oath necessary to the proper discharge of its duties.

Salary of members.

SECTION 5. Each member of said county board shall receive the sum of five dollars per day, for each day actually employed in the performance of the duties herein provided for, which salary as well as the salary of the clerk shall be paid out of the county treasury.

Payment of salaries.

SECTION 6. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed April 14, 1892.
235G

[House Bill No. 535.]

AN ACT

To repeal an act passed April 17, 1882, entitled "An act to establish a meteorological bureau for the state of Ohio," and to establish in connection with the state board of agriculture a weather and crop service for the collection and dissemination of crop statistics and meteorological data.

Repeals, etc.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That said act, passed April 17, 1882, be and hereby is repealed, and the following enacted in lieu thereof:

Weather and crop service.

SECTION 2 That there be and hereby is established in the state of Ohio, to be under the supervision of the state board of agriculture, a weather and crop service, coöperating with the weather bureau of the United States, for the purpose of collecting crop statistics and meteorological data, and more widely disseminating the weather forecasts, and storm and flood and frost warnings for the benefit of producers and shippers of perishable products, and to promote a general knowledge of meteorological science and the climatology of the state.

Central station.

SECTION 3. That the central station of said weather and crop service shall be in the city of Columbus, under the charge of the state board of agriculture, and it shall be the duty of the state board of agriculture to appoint a director, assistant director and one or more local experts; the assistant director to be an official of the United States weather bureau, who may be detailed for that purpose by the chief of the weather bureau at Washington, D. C., under pay of said bureau; the expert or experts to serve without pay, other than necessary traveling expenses.

Director assistant director and local experts.

Duties of director.

SECTION 4. That the said director, under the direction of the state board of agriculture, shall establish volunteer stations throughout the state to the number of one or more in each county when deemed advisable, and shall appoint observers thereat; and the said director shall supervise said volunteer stations, receive reports therefrom of meteorological events and crop conditions, tabulate the same for permanent record, and shall issue weather crop bulletins as the state board of agriculture may direct, and he shall also edit and prepare, in connection with the monthly crop reports of the state board of agriculture, a monthly weather and crop review containing meteorological and agricultural matter of public

Duty of state printer.

interest and educational value; and it shall be the duty
the state printer to print the same promptly and without d
lay as preferred matter for distribution from the office of t
state board of agriculture.

Annual report of director.

SECTION 5. That the said director shall also compile
annual report to be printed and bound with the annual
port of the state board of agriculture, and 2,000 copies ext
shall be printed in pamphlet form; said report to contain
complete review and summary of expenses, labors and c
servations of the year.

Appropriations.

SECTION 6. That appropriations made for expenses of th
state weather and crop service shall be subject to the ord
of the president and secretary of the state board of agricu
ture.

Instruments, books, reports, etc., in charge of meteorological bureau.

SECTION 7. That all the instruments, books, repo
and other property in charge of the meteorological bure
for the state of Ohio or its officers or agents be and here
are transferred to the weather and crop service of the Oh
state board of agriculture, and the director of said mete
ological bureau shall file with the secretary of state board
agriculture a complete inventory of said instruments, boo
reports and other property now in possession of the bure

Appropriation made for such bureau.

SECTION 8. That any appropriation made for the mete
ological bureau for the state of Ohio shall be used for the be
efit of the state weather and crop service hereby created, a
subject to the order of the president and secretary of the st
board of agriculture.

SECTION 9. This act shall take effect and be in fo
from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representati
ANDREW L. HARRIS,
President of the Sen

Passed April 13, 1892.
236G

[House Bill No. 545.]

AN ACT

To provide for an extension of time in which annual city boards of equ
ization in cities of the second grade of the second class shall compl
their work in the year 1892.

Session annual city board of equalization (Dayton).

SECTION 1. *Be it enacted by the General Assembly of the St*
of Ohio, That in cities of the second grade of the seco
class the annual city board of equalization shall, in the y
1892, begin its session on the 18th day of April, and sh
close its session on the first day of September of said ye

Laws governing board.

and said board shall be subject to and be governed by all t
provisions of the Revised Statutes of Ohio relating to t
annual city boards of equalization in said cities not inc
sistent with this act.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 13, 1892.
237G

[House Bill No. 551.]

AN ACT

To provide for the appointment of a board of equalization and assessment in cities of the second grade of the first class.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That in cities of the second grade of the first class there shall be a board of equalization and assessment, to be composed of three members, electors of said city, not more than two of whom shall belong to the same political party, who shall be appointed by the probate judge, for the term of three years; provided, that at the first appointment, which shall be made on the fourth Monday of April after the passage of this act, or as soon thereafter as practicable, one of said members shall be appointed for one year, one for two years and one for three years, and annually thereafter one member shall be appointed for the term of three years; and all vacancies shall be filled by appointment for the unexpired term. The probate judge may, at discretion, remove any member of said board.

Board of equalization and assessment (Cleveland).

Appointment and term of members.

Vacancies; removals.

SECTION 2. The members of said board shall each receive a salary of twenty-five hundred dollars per annum, and shall give bond in the sum of five thousand dollars to the approval of the probate judge. They shall devote their whole time to the duties of their office and no member shall be engaged in any other business avocation or employment. The board shall hold daily sessions so far as practicable and a record of its proceedings shall be kept.

Salary and bond of members.

Time to be devoted to duties.

Daily sessions; record.

SECTION 3. The said board shall meet on the first Monday of May of each year and the member having the shortest time to serve, not holding his office by appointment to fill a vacancy, shall be president for the ensuing year. The county auditor shall be secretary of said board, and for his services in that behalf shall receive a salary of six hundred dollars per annum in addition to any salary now provided by law. The auditor shall appoint, subject to the confirmation of the board, a chief clerk for said board, who shall receive a salary of fifteen hundred dollars per annum, and not to exceed three assistant clerks, who shall each receive a salary of seventy five dollars per month, and shall prescribe their duties. The board shall appoint such number of messengers, not exceeding six, as may from time to time be required, who shall each receive three dollars per day for their services, for the time

Annual meeting; president.

Secretary.

Chief clerk, assistant clerks and messengers.

actually employed. Not more than one-half of said clerks one half of said messengers shall belong to the same politic party.

Assessors.

SECTION 4. In every city of the second grade of the fir class the said board shall, annually, on or before the secon Monday of April, appoint not exceeding forty assessors, n more than one-half of whom shall belong to the same poli ical party, who shall hold their office for the term of one yea but may be removed by the board at its pleasure, and wh shall each receive for his services a compensation of four do lars per day for each day actually employed in the perform ance of his duties; provided, that no assessor shall in an one year receive compensation for more than thirty-six d y service, except upon the order of the board and the approv of the county auditor. Said assessors shall have the sam power and perform the same duties as are or may be provide by law with respect to township assessors, and said board sha assign such assessors to the different wards of such city, or may divide such city into districts and assign them to suc districts. All statements of statistics and the quadrenni enumerations required of township assessors shall be mad and returned by the assessors appointed by said board, f the wards or districts to which they may be respectivel assigned by the board. Each of said assessors shall giv bond in the sum of one thousand dollars to the approv of the board.

Equalization of valuation of real property.

SECTION 5. As soon as practicable after the first Mon day of May, 1892, and annually thereafter, the said boar shall proceed to hear complaints and to equalize the va uation of all real property in such city, and it shall hav the power to raise the valuation of such tracts and lots real property as in its opinion are valued below the tru value thereof, and to reduce the valuation of such trac and lots as in its opinion are valued above their true valu as compared with the average valuation of the real propert in such city, and it shall have all the powers provided by la for decennial county boards for the equalization of re property, and shall be governed by the rules prescribed fo such decennial county boards in equalizing the valuation returned by district assessors; provided, that it shall no reduce the value of the real property of the city below th aggregate value thereof as fixed by the state board of equaliz tion, nor below its aggregate value on the duplicate of th preceding year, to which shall be added the value of all ne entries and new structures, over the value of those destroye as returned for the current year.

Powers and duties of certain boards vested in board of equalization and assessment.

SECTION 6 The said board shall be the successor of, and except as otherwise provided in this act, shall have all the pow ers and perform all the duties prescribed by law for the decen nial board for the equalization of the value of the real propert within such city, of the annual board for the equalization of th value of real and personal property, moneys and credits i such city, and of the last named board as a board of revision

Such boards

also of the board of tax commissioners in such city. Said decen

nial board for the equalization of the value of real property and said annual board for the equalization of the value of real and personal property, moneys and credits, and the board of tax commissioners, in cities of the second grade of the first class, are hereby abolished; and the city council may designate said board of equalization and assessment in place of appointing the board provided by section 2279 of the Revised Statutes, in which event said board shall have all the authority and perform all the duties provided by law for said equalizing board.

abolished.

Powers and duties as equalizing board.

SECTION 7. The decennial assessment of real estate to be made in the year 1900 and every tenth year thereafter, as provided by law, shall, in cities of the second grade of the first class be made by said board, and for that purpose it may appoint in such decennial years, such numbers of assistants and at such compensation as the city council may approve. The said board shall have all the powers and perform all the duties now provided by law for the district assessors of real estate in such cities, who are hereby abolished, and all the provisions of sections 2789, 2790, 2791, 2792, 2793, 2798 and 2799 of the Revised Statutes pertaining to said district assessors of real property in such cities, shall apply to and govern said board; provided, that nothing herein contained shall require said board to divide such city into districts for the purpose of such assessment, and unless the context otherwise require, the term "district" in said sections of the Revised Statutes shall be construed as referring to such city; provided further, that the return of the amount, description and value of the real property subject to be listed for taxation in said city shall be delivered to the auditor of the county on or before the first Monday of November in each decennial year.

Decennial assessment of real estate.

Powers and duties of district assessors vested in board.

SECTION 8. The salaries of the members of said board shall be paid out of the city treasury. All other salaries and compensation herein provided for, and any contingent expenses authorized by the county commissioners, shall be paid out of the county treasury.

Payment of salaries and expenses.

SECTION 9. The county commissioners of the county in which any such city is located shall provide suitable and convenient rooms for the use of the board; and all stationery, printing and supplies needed by said board shall be furnished at the expense of the county. All official bonds required to be given by this act shall be filed with the county auditor.

Rooms, stationery, printing and supplies; filing of official bonds.

SECTION 10. Any member of said board who shall wilfully neglect or refuse to perform any duty enjoined on him by law, or who shall consent to or connive at any evasion of the provisions of law whereby any property required to be assessed shall be unlawfully exempted or the valuation thereof entered at less than its true value, shall, for every such neglect, refusal, consent or connivance, forfeit and pay not less than the sum of two hundred dollars nor more than one thousand dollars, to be recovered by action in the name of the state, and he shall also be forthwith removed from office.

Penalty for neglect of duty or violation of law by member.

Repeals.

SECTION 11. Section 1718*b*, supplementary to section 1718 of the Revised Statutes of Ohio, as amended April 23, 1891, is hereby repealed.

Inconsistent laws.

SECTION 12. All statutes of this state which conflict with any of the provisions of this act shall be held to be superseded by the latter, and as to the matter of inconsistency and no otherwise, the same are hereby repealed.

When certain sections take effect.

SECTION 13. Sections four and eleven of this act shall take effect and be in force from and after the first day of January, 1893; all the other sections of this act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives
ANDREW L. HARRIS,
President of the Senate

Passed April 13, 1892.
238G

[House Bill No. 568.]

AN ACT

To amend section 1530 of the Revised Statutes.

Officers of civil townships:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 1530 of the Revised Statutes be amended so as to read as follows:

Compensation of trustees.

Sec. 1530. Each trustee shall be entitled to one dollar and fifty cents for each day's service in the discharge of his duties in relation to partition fences, to be paid in equal proportions by the parties, and one dollar and fifty cents for each day's service in the business of the township, to be paid out of the township treasury; but in no year shall the compensation of any trustee exceed one hundred and fifty dollars to be paid out of the treasury, including services in connection with the poor; and each trustee shall present an itemized statement of his account for per diem and service as aforesaid and the same shall be filed with the clerk of the township and by him preserved for inspection by any person interested provided, that in any township in the state having a population on in the last federal census in 1890, and which at any subsequent federal census may have a population of thirty-five thousand and sixty-six, and not having a city infirmary therein, the compensation of any trustee of such township at one dollar and fifty cents for each day's service shall not exceed four hundred and fifty dollars in any one year, to be paid out of the treasury, including services in connection with the poor.

Itemized statement.

Youngstown township, Mahoning county.

Repeals.

SECTION 2. That section 1530 of the Revised Statutes as amended April 21, 1890, shall be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 13, 1892.
239G

[House Bill No. 685.]

AN ACT

To authorize cities of the first grade of the second class to borrow money and issue bonds for the purpose of constructing main trunk sewers.

Main trunk sewer bonds (Columbus).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the city councils of cities of the first grade of the second class be and they are hereby authorized and empowered to issue the bonds of such cities in an amount not exceeding thirty thousand dollars ($30,000.00) for the purpose of paying the cost and expense of constructing main trunk sewers. Said bonds shall be issued whenever said city councils may determine that they are necessary for such purpose, and in denominations of one thousand dollars ($1,000.00) each, and shall be payable in twenty years from their date. All of said bonds shall bear such rate of interest, not exceeding six per cent. per annum, payable annually or semi-annually, as the city councils of the respective cities issuing them may determine; and said bonds shall, in all respects, be made and disposed of as provided by law.

Additional tax levy.

SECTION 2. The city councils of the cities which shall avail themselves of the provisions of this act are hereby authorized to and shall levy annually, on all the taxable property in such cities, a tax sufficient in rate and amount to pay the accruing interest on such bonds, and to provide a sinking fund to pay said bonds at maturity, and such levy may be additional in rate and amount to the taxes authorized by law to be levied for any and all other purposes.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 13, 1892.
240G

[House Bill No. 722.]

AN ACT

To authorize the commissioners of any county which, at the federal ce sus of 1890 had, or which at any subsequent federal census may hav population of not less than 59,000 nor more than 60,000, to levy additional tax for county purposes.

Additional levy for county purposes (Columbiana county).

SECTION 1. *Be it enacted by the General Assembly of the Sta of Ohio*, That the commissioners of any county which, at t federal census of 1890 had, or which at any subsequent fede census may have a population of not less than 59,000 n more than 60,000, be and they are hereby authorized, at the June session, 1892, to levy not to exceed seven-tenths of o mill, and annually thereafter, to levy not to exceed four-tent of one mill upon each dollar of the taxable property of t county for county purposes, in addition to the levy no authorized by law, the same to be entered on the duplicate said county, and collected as other taxes.

SECTION 2. This act shall take effect and be in force fro and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representativ

ELBERT L. LAMPSON.
President pro tem. of the Sena

Passed April 14, 1892.
241G

[House Bill No. 800.]

AN ACT.

To authorize certain villages to construct water-works, provide for t lighting of said village, to erect a town hall, to purchase land for t purposes above mentioned and to issue bonds therefor.

Water-works, light and town hall bonds (West Milton).

SECTION 1. *Be it enacted by the General Assembly of the Sta of Ohio*, That the council of any village, which by the la federal census of 1890 had, and which by any subsequ federal census may have a population of not less than 795 n more than 797, is hereby authorized to construct and provi said village with water-works, provide for the lighting of sa village, to erect a town hall and to construct and purcha land for the purposes above-mentioned, and for that purpo to issue bonds to the amount of fifteen thousand dollars, such denominations, in such amounts at any one time, an payable at such times as the city council shall by resolutio determine; such bonds shall be signed by the mayor, counte signed by the clerk, and attested by the seal of such villag and shall bear interest at a rate not to exceed six per ce per annum, payable semi-annually from the date thereof.

Disposition of bonds.

SECTION 2. That the council of any such village m negotiate such bonds for cash, or it may deliver the same payment for such real estate, or for the construction of an building or buildings, but in no case shall such bonds

disposed of at less than the par value thereof with accrued interest, and no contract shall be awarded until the contractor shall enter into bonds to such village in double the amount of any such contract, conditioned that such contractor shall fully perform all the obligations imposed upon him by such contract.

Bond of contractor.

SECTION 3. That the powers herein conferred shall in no case be exercised, in whole or in part, by the council of any such village until thereto authorized by a vote of the qualified electors of such village, taken at a general or special election held therein; that for the purpose of submitting any proposition to a vote of such electors the clerk of such village, for that purpose shall give notice of the time of holding such election, which shall be posted up in at least five public places in said village, stating the particular object for which bonds are to be issued, for at least ten days prior to the day of holding such election; such election shall be held at the usual places of holding elections, and by the officers authorized to preside at elections in such village. The poll-books and tally-sheets of such election shall be forthwith returned to the clerk of such village, who, with the mayor of such village shall, at any regular or special meeting of the village council, and in the presence of a quorum of such council, proceed to canvass such vote, and the village clerk shall enter the number of votes cast for such proposition, and the number of votes against such proposition, in such village, and if it shall appear by the returns of such election that two-thirds of all the electors voting at such election have voted in favor of such proposition, such village council shall be authorized to exercise the powers conferred by this act; and if two-thirds of such electors voting at such election shall not have voted in favor of such proposition, such council shall not exercise the powers conferred by this act. The ballots voted at such election shall have written or printed thereon the words, "For the issue of bonds—Yes;" and those against, "For the issue of bonds—No."

Question to be submitted to voters.

SECTION 4. That the resolution of such village council herein provided for shall forthwith be entered by the village clerk upon the ordinance book of such village, and shall take effect after its legal publication.

Resolution of council.

SECTION 5. That all contracts or conveyances authorized by this act shall, upon the part of such village, be signed by the mayor, countersigned by the clerk and attested by the seal of such village; and the village council is hereby authorized to levy such tax, in addition to the rate now authorized by law, upon the taxable property of such village, each year thereafter, as may be necessary to pay the interest on such bonds as the same may become due, and to provide a sinking fund to pay the principal of such bonds at maturity.

Contracts and conveyances.

Additional tax levy.

SECTION 6. This act shall take effect and be in force fro and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representativ
ELBERT L. LAMPSON
President pro tem. of the Sena

Passed April 14, 1892
242G

[House Bill No. 861.]

AN ACT

To amend section 1 of an act entitled "An act to authorize townsh trustees in certain townships in the state of Ohio to issue bonds f the purpose of public improvements," passed March 31st, 1892.

Public improvements:

SECTION 1. *Be it enacted by the General Assembly of the S of Ohio*, That section 1 of an act entitled "An act to authori township trustees in certain townships in the state of Oh to issue bonds for the purpose of public improvements passed March 31, 1892, be amended so as to read as follow

Public improvement bonds (Vermillion township, Ashland county).

Sec. 1. That the township trustees of any townsh which at the last federal census had a population of not le than eighteen hundred and forty nor more than eighte hundred and forty-six, be and the same are hereby authoriz and empowered to issue the bonds of such township in a sum not exceeding twenty-five thousand dollars, in denomin tions not exceeding one thousand dollars each, bearing int est not exceeding six per cent. per annum, payable sem annually, and payable at any time not exceeding fifteen yea from the date of their issue, as the township trustees of su township shall determine. Said bonds shall be advertised f public sale; the sale of said bonds shall be to the highest a best bidder, after thirty days' notice in at least two newsp pers of general circulation in said Ashland county. Ob setting forth the nature, amount, rate of interest and leng of time the bonds have to run, with the time and place sale; said bonds shall be sold at not less than their par valu

Repeals.

SECTION 2. That said original section 1 of said entitl act be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in fo from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representati
ANDREW L. HARRIS,
President of the Sen

Passed April 13, 1892.
243G

[House Bill No. 893.]

AN ACT

To authorize the trustees of any township in any county which, at the last federal census, had or at any succeeding federal census may have a population of not less than forty thousand seven hundred, and not exceeding forty-two thousand, to improve public [roads,] levy taxes therefor and issue bonds in anticipation of such taxes.

Township highway improvement bonds (Seneca county).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of any township in any county of this state, which, at the last federal census had, or which, at any subsequent federal census, shall have a population of not less than forty thousand seven hundred, and not exceeding forty-two thousand, shall have power to issue the bonds of such townships, respectively, in any sum not exceeding eight (8) per cent. of the valuation as shown by the last tax duplicate, bearing interest at a rate not exceeding six per cent. per annum from the date of issue, payable semi-annually for the purpose of improving the highways in such townships, respectively.

Issue, sale and redemption of bonds.

SECTION 2. Said bonds shall be signed by the trustees of such township and countersigned by the clerk; and shall not be sold for less than their par value; the principal shall be payable after six years from the date of the issue of said bonds, in annual installments, of not less than ten per cent. of the bonds so issued; and the said trustees are hereby authorized to levy a tax on all the taxable property of such township to pay said bonds and interest thereon as the same becomes due, and the funds so realized from the sale of said bonds shall be used by the trustees of such township for no other purpose than that specified in section one of this act.

Levy of tax.

Application of proceeds of bonds.

Examination of roads to be improved.

SECTION 3. The board of trustees of such township, after having determined which roads are to be improved, shall examine such roads and ascertain if the proposed roads are sufficiently graded and drained; and if such be not the case, then they may take to their assistance a competent surveyor or engineer, whose duty it shall be to make, under the direction of the board of trustees, a survey and level of the roads selected, fix the grade of the road and the grade and capacity of the drain on the side thereof. The trustees shall cause to be constructed all necessary culverts on such roads, fix the width of the graveled or macadamized track not less than twelve feet nor more than sixteen feet wide, and the depth thereof not less than eight inches nor more than twelve inches in the center, and the slope from the center to the sides. The trustees may consolidate the road districts through which any such road improvement passes, and direct the supervisors of such road district to work the two days' labor in such district, and in such manner as shall be prescribed by the trustees.

Surveyor or engineer; duty.

Culverts; width and depth of track.

Consolidation of road districts; two days' labor.

Ordering and letting of improvement.

SECTION 4. A majority of the board of trustees shall be necessary to order the said improvement, and the work of construction and the furnishing of material for such road improvement shall be publicly let, excepting such work as

may be done by the supervisors of the road district as herein provided. The contracts for material to be used in the construction of said road improvement and the contracts for hauling said material upon the roads shall be let separately.

Contracts for material and hauling.

Notice of letting.

SECTION 5. The trustees, after having given public notice of the time and place of such letting, for at least two weeks, in a newspaper of general circulation in the township or county, or by handbills or both, at the discretion of the board of trustees, specifying the kind and quality of the material, and the part of the road upon which the same is to be used, shall let the same to the lowest bidder, who shall give bond to the acceptance of the trustees. The bids for the material and for the work of hauling the same shall be separately stated, and the trustees may reject any or all bids. The trustees shall examine and except [acc·pt] the work when completed, and a certain the amount of material furnished under the provisions of this act, and if found in all respects correct, shall draw an order for the amount due for work, or for material furnished, upon the county treasurer, which shall be countersigned by the township clerk.

Lowest bidder; bond; separate bids.

Rejection of bids; examination and acceptance of work; order for payment.

Overseer; compensation.

SECTION 6. The board of trustees may appoint one of their number or some other suitable person who shall oversee the work, and for the services rendered under the provisions of this act, such person shall be entitled to receive for each day actually employed, a sum not exceeding two dollars. And the trustees shall provide for the township clerk a suitable book in which there shall be kept a complete record of the business transacted under the provisions of this act, and it is hereby made his duty to keep a full and complete record of the action of the board of trustees under this act, and the township clerk, for making said record, shall be entitled to receive ten cents per hundred words, and for all other services such reasonable compensation as may be allowed by the board of trustees.

Township clerk's record and compensation.

Payment of fees.

SECTION 7. The fees of the township officers, the engineer, and the person who may be appointed by the board of trustees under the provisions of this act, shall be paid out of the township road fund. But before any payments shall be made for services rendered under the provisions of this act, the person entitled thereto shall make out and file with the township clerk an itemized account of his services, whereupon the trustees shall, if they find the same correct, draw an order on the township treasurer, countersigned by the township clerk.

Itemized accounts.

Order for payment.

Roads free to public travel; repairs.

SECTION 8. The roads graveled or macadamized under the provisions of this act shall be free to the public travel, and shall be kept in repair by the trustees, out of the funds that come into the township treasury from the county treasury, as provided for in section one thousand four hundred and fifty-nine (1459) of the Revised Statutes of Ohio.

Question to be submitted to voters.

SECTION 9. The question of issuing said bonds and levying said tax and the improvements of said roads of such township shall be submitted to a vote of the qualified electors of said township at a special or general election to be

ordered by the trustees of such township at the usual place of holding elections. Notice of said election to be posted up at least in five conspicuous places in such township at least ten days before said election. The tickets to be voted at said election shall have written or printed thereon the words, "Road improvement—Yes," or "Road improvement—No." And if the majority of those voting on said proposition are in favor of the same, then it shall be the duty of said trustees to make said levy as hereinbefore directed.

Exemption from taxation.

SECTION 10. Provided that after the commissioners of such county have made the levy and the trustees have commenced and continue to improve the public highway as herein provided, the property in such township shall be exempt from any levy by the commissioners of said county for the purpose of constructing, maintaining or improving roads.

SECTION 11. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 13, 1892.
244G

[House Bill No. 902.]

AN ACT

To authorize the council of any city of the second grade of the first class to issue bonds for purchasing grounds and erecting a central police station.

Central police station bonds (Cleveland).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of any city of the second grade of the first class, be and the same is hereby authorized to issue and sell bonds of such city in a sum not exceeding one hundred thousand dollars ($100,000), for the purpose of purchasing suitable grounds in such city and erecting thereon a central police station.

Issue and sale of bonds.

SECTION 2 Said bonds shall be issued in amounts not less than one hundred dollars each, nor more than one thousand dollars each, and made payable at such times as said council may deem most advantageous, not exceeding ten years from the date of their issue and said council is authorized to negotiate and sell said bonds at not less than their par value; but the interest on said bonds shall not exceed six per cent. per annum.

Additional tax levy.

SECTION 3. For the purpose of paying the interest and principal of said bonds as the same shall become due, said council is hereby authorized and empowered, in addition to the other levies authorized by law, to levy a tax on the property subject to taxation in said city, sufficient in amount to pay said interest and principal; and such tax shall be levied and collected in the same manner as other taxes are levied and collected.

Repeals.

SECTION 4. An act entitled "An act to authorize the council of the city of Cleveland, in Cuyahoga county, Ohio, to issue bonds for purchasing grounds and erecting a central police station," passed March 31, 1892, of which this act is amendatory, is hereby repealed.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 13, 1892.
245G

[Senate Bill No. 33.]

AN ACT

To provide a board of park commissioners and to provide for the acquisition of grounds to extend parks, construct park entrances, improve park driveways, and defining the powers and duties of said board, and to repeal an act entitled "An act to provide for a board of park trustees in cities of the first grade of the first class," passed February 18, 1891 (O. L. 88, page 39).

Board of park commissioners (Cincinnati).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in cities of the first grade of the first class there shall be a board of park commissioners, consisting of six members who shall be electors of the city for which they are appointed, and not more than three of whom shall be of the same political party. Said board of park commissioners shall be appointed by the mayor of such city. Three members of such board shall be appointed for the term of two years each, three members for the term of four years each from the date of their appointment, and at the expiration of each of said terms the appointment of their successors shall be for the term of four years. All the members of said board shall serve until their successors are appointed and qualified and all vacancies in said board shall be filled for the unexpired term only. The members of said board of park commissioners, before entering upon their duties, shall take and subscribe an oath of office to honestly and faithfully perform their duties; they shall serve without compensation, and shall each give bond in the sum of $25,000.00 to the approval of the mayor and the corporation council [counsel] conditioned for the faithful performance of their duties. The office of any member of said board who shall not attend the regular meetings of said board fixed by their rules and regulations for a period of three successive months, without leave of absence from said board and the mayor of such city, shall be declared vacant by said board, and the appointing power notified to fill such vacancy.

SECTION 2. Said board of park commissioners shall have exclusive charge, supervision and control of all the parks, park entrances and park driveways now belonging to such city or in its control, and of all such property as may hereafter be acquired for parks and for park entrances and park driveways connecting or leading to or from such parks. Said board of park commissioners shall have power to acquire and hold property in the name of the city by purchase or condemnation for public parks, extensions to present parks and for park entrances and park driveways connecting and leading to or from such parks, to receive gifts, donations and devises of lands or other property for public parks, park entrances or park driveways on behalf of the city in the name of the city; to lay out, construct and improve with walks, drives, roads and bridges, shelter houses and other improvements, the public parks, park entrances and park driveways held by or under its control; to enter into contracts for the construction and improvement of said parks, park entrances and park driveways; to adopt rules, regulations, and ordinances regulating the use of the same and the travel and traffic thereon, and to prevent injury or misuse of any property under their management or control, and to prevent disorder and improper conduct within the precinct of any park, park entrance or park driveway. All rules, regulations and ordinances which the said board shall at any time pass shall, immediately after their passage and before taking effect, be published at least ten days in two daily newspapers, printed in said city. No property shall be acquired for additional parks by purchase or condemnation except by and with the consent of the mayor of such city.

Control of parks and park property.

General powers of board.

Publication of rules, regulations and ordinances.

Property for additional parks.

SECTION 3. Said board of park commissioners shall also have power to receive in the name of the city, gifts, donations and devises of lands or property for the establishment or maintenance within the limits of any park or [of] museums, zoölogical or other gardens, collections of natural history, observatories or works of art, upon such terms and conditions as may be agreed upon by and between the grantors or donors thereof and the said board of park commissioners, subject, however, to the approval of the mayor of such city. But all property so to be granted, conveyed, devised or bequeathed, and the rents, issues and profits thereof, must be subject to the management and control of the said board of park commissioners and may be improved or added to in its discretion, and shall be protected, preserved and arranged by the said board of park commissioners for public use and enjoyment, under such rules and regulations as the said board shall from time to time prescribe. Admission to said gardens and museums shall be either free to the public or upon the payment of such sums of money as the board may determine, and all income derived from such admissions shall be applied to the improvement and maintenance of such gardens and museums, or of the said parks. Said board of park commissioners shall also have power to agree subject to the approval of the mayor of such city for the management and maintenance of any of the said gardens or other institutions which any society incorporated

Gifts, donations and devises for museums, zoölogical gardens, etc.

Admission to such gardens and museums.

Income.

Gardens, etc., of incorporated societies.

or to be incorporated under any law of this state [ ]; but such gardens or other institutions shall always remain subject to the control of the said board of park commissioners.

Penalty for certain misdemeanors.

SECTION 4. It shall be unlawful for any person to cut, injure or deface any tree, building, fence or other erection in the parks; to turn domestic animals or poultry of any description upon the parks or to permit them to wander therein; to carry firearms within or to frighten or hurt animals or birds belonging to the parks; to hinder or interfere with men employed upon the parks. All persons found violating the provisions of this section or any of the rules, regulations or ordinances adopted by said board, shall be guilty of a misdemeanor and shall be punished on conviction before the police court of said city upon complaint and proceedings as now had and provided by law in cases of misdemeanor and violations of city ordinances, by a fine not exceeding $50.00 and in default of payment be imprisoned not exceeding thirty days. And the jurisdiction of the police court of said city is hereby expressly extended to include all parks, park entrances, and park driveways belonging to said city and under the control of said board, whether within or without the corporate limits of said city. Said board of park commissioners and their officers and employes shall have power to make arrests for misdemeanors committed within the precinct of any park, park entrance or park driveway under their management and control, whether within or without the limits of said city, or for the violations of any rules, regulations or ordinances established by said board. Said board of park commissioners shall have power to seize and impound any cattle, horses, mules, donkeys, goats, swine, sheep or other animals, or any poultry of any description found running at large upon any of said parks, park driveways or park entrances, to impose a penalty not to exceed $5.00 with reasonable expenses upon each animal or the poultry so seized, and to enforce payment thereof in such manner as they shall by the rules and regulations provide.

Jurisdiction of police court.

Special powers of board, officers and employes.

Damages.

SECTION 5. Any person violating any of the rules, regulations or ordinances of said board of park commissioners, or violating any statutes of Ohio relating to parks, or ordinances of any municipal corporation, relating to parks in which any such board of park commissioners shall have been appointed, shall be liable to a civil action for damages, to be brought by said board of park commissioners in the name of said city, and the amount recovered shall be paid into the park expense fund of such corporation herein provided for.

Employes.

SECTION 6. Said board of park commissioners may employ such superintendents, engineers, landscape gardeners, laborers and other employes as it may deem necessary to perform and accomplish the purposes of this act. They shall fix the salaries and compensations to be paid such employes, and they are hereby authorized to establish a park police force, consisting of such number of persons as the board may deem necessary. Said board shall have power to uniform such force in the manner they may direct, and empower said force to

Park police force.

preserve the peace and enforce the rules and regulations and ordinances which the board may, and is hereby authorized to adopt for the government of said parks.

Appropriation of property for park purposes.

SECTION 7. Said board of park commissioners shall have power to appropriate, enter upon and condemn for public use, and hold and possess on behalf of and in the name of such city, for enlarging any park or parks now owned by such city and for establishing such additional park or parks, park entrances and park driveways as in the opinion of said board of park commissioners it may be necessary from time to time to establish either within or without the limits of such city, any private property necessary for such purposes; provided, however, that no additional parks shall be established without the consent of the mayor of such city. When said board shall determine to appropriate property for any use authorized by this act, a resolution to that effect shall be passed by said board and entered upon its minutes, declaring the intention to appropriate such property and the necessity therefor, with a pertinent description of the property to be appropriated, which resolution shall be certified to the corporation counsel of such city, whose duty it shall then be to apply in writing in the name of such city to the court of common pleas of the county or judge thereof in vacation, or to the probate court of the county for the impaneling of a jury to assess the compensation to be allowed the owners of the property appropriated in the manner provided in chapter three, division seven, title 12 of the Revised Statutes, for appropriating private property by municipal corporations; and all the proceedings hereunder, except as herein authorized, shall be governed by the provisions of said chapter three, division seven, title twelve; provided, that if such proceedings are commenced in the probate court of the county neither party shall have the right to appeal, but either party may institute proceedings in error, as provided by law. And the amount of compensation adjudged to any owner or owners, together with the costs and expenses of such proceedings shall be paid out of the park funds herein provided.

Park entrances or driveways.

SECTION 8. Said board of park commissioners shall also have power to take charge of, control and improve any public road, street, alleyway or grounds of any kind, or any part thereof, for the purpose of park entrance or park driveway with the consent of the proper municipal authorities or of the other corporation, or public officers or authorities owning or having charge thereof.

Vacation of public roads and highways; damages.

SECTION 9. Said board of park commissioners shall also have power to vacate and close up within the limits of any park or parks any and all public roads and highways, excepting railroads, which may pass through, divide or separate any lands selected or appropriated by it for parks, upon payment of damages, if any, caused by such vacation to the owners of private property injured thereby, to be ascertained in the manner now provided by law, and such damages, if any, shall be paid out of the park funds; and no such roads or highway, and no railroad, whether street or steam, shall be laid out

Laying out of such roads and

highways; steam or street railroads.

through any park or parks, except with the consent of sa board of park commissioners; but the proper municipal a thorities of said city may grant the right to cross the pa driveways with steam or street railroads.

Park bonds.

SECTION 10. To provide a fund to pay the cost a expense of enlarging the present parks of such city and t establishment of such park driveways connecting prese parks, as in the opinion of such board of park commissio ers it may from time to time be necessary to establish, a for the improvement of the present parks of such city, pr ent park entrances and park driveways, and such park dri ways as said board may establish or which may be plac under its control, either within or without the limits of su city, it shall be lawful for said board of park commissione and they are hereby authorized to borrow a fund not exce ing the sum of one hundred thousand dollars, and to iss therefor bonds of such city in the name and under the c porate seal of such city. Said bonds shall be made paya at such time and shall bear interest at such rate not to exc four per cent. per annum, as said board of park commissi ers shall determine; said bonds shall be signed by the pr dent of said board of park commissioners and the mayor such city, and be attested by the city auditor of such city, a shall be secured by the pledge of the faith of such city, a

Additional tax levy.

tax, which it shall be the duty of said board of park co missioners or its successors, annually, to levy on the real a personal property returned on the grand duplicate, suffi- i to pay the interest and provide a sinking fund for the fi redemption of said bonds, and certify the same to the cou auditor. Said tax to pay the interest on said bonds and provide a sinking fund as aforesaid shall be in addition to amount now authorized by law to be levied for munici purposes, and when so certified shall be placed upon the gra duplicate of said city by said county auditor and collec according to law.

Sale of bonds.

SECTION 11. Said board of park commissioners shall ceive bids for said bonds from time to time as they may sire to dispose of them, or any part of them, after advertisi the same for sale once a week for four consecutive weeks the same day of the week in a newspaper of general circu tion in such city, and shall sell the same for not less than

Park fund.

value to the highest bidder. The money arising from the s of said bonds shall be placed in the city treasury to the cre of the said board of park commissioners in a fund to be cal

Warrants.

the "park fund;" warrants drawn upon the city auditor payment out of said funds shall be designated on their f "for purchase of lands to enlarge present parks," or "for est lishing park driveways connecting present parks," or " improvement of parks, present park entrances and impro ment of park driveways," according as they are drawn for

Account of fund.

one purpose or the other, and a careful account of the con tion of said fund shall be kept by the city auditor of said ci

Application of proceeds of bonds.

The funds realized from the sale of said bonds shall be appl first to the acquisition of lands for the extension of pres parks, and the balance, if any, may be applied to the acqu

tion of park driveways connecting pr sent parks. And no part of said funds shall be applied to the expense of management of any of such parks, park entrances and park driveways, but the expense and management and control of all parks, park entrances and driveways now or hereafter established shall be paid from the annual levy which may be authorized for park purposes.

Park expenses.

SECTION 12. In addition to the powers already conferred upon said board of park commissioners to make an annual tax levy to meet the interest and to provide a sinking fund for said bonds, said board of park commissioners shall also have authority annually to levy a tax not to exceed $100,000 on all the taxable property of said city and certify the same to the city auditor and the board of legislation whose duty it shall be to place the same or such part thereof as they may deem proper on the grand duplicate of said city to be collected according to law, but such levy shall be subject to the approval of the board of review, and the proceeds of such levy shall be placed in the city treasury to the credit of said board of park commissioners in a fund to be known as the "park expense fund" and applied exclusively to the expenses of improving, managing and controlling the parks, park entrances and park driveways. Warrants drawn on the city auditor by said board of park commissioners for payments out of said fund shall be designated on their face "park expense fund."

Park expense fund; annual levy for.

Warrants.

SECTION 13. All revenues arising from the public property under the management and control of said board of park commissioners together with all fines, penalties and damages for the violations of any of the rules, regulations and ordinances established by said board under the provisions of this act shall be placed in the city treasury to the credit of said board in the fund known as the "park expense fund."

Revenues, fines, penalties and damages.

SECTION 14. None of said board of park commissioners nor any person in the employ of said commissioners shall have the power to create any debt, obligation, claim or liability for or on account of said board, or the moneys or property under its control, except with the express authority of said board conferred at a meeting thereof duly convened and held.

Power to create debts, obligations, claims or liabilities.

SECTION 15. The title of all property now or hereafter acquired for park purposes, park entrances and park driveways with all improvements and equipments shall be held free from all taxes and assessments, by state, county or municipality and subject only to a lien to secure such park bonds as may hereafter be issued.

Title to park property.

SECTION 16. No power possessed by said board of park commissioners shall be delegated to or performed by any one member of said board or any of the committees of said board, but all the power possessed by said board shall be exercised by said board as a board.

Powers of board not to be delegated.

SECTION 17. Said board shall not enter into any contract for work or material or supplies to be furnished under this act where the cost will exceed $500.00 without first caus-

Contract when cost exceeds five hundred dollars.

ing at least ten days' notice to be given in one or more new papers of general circulation in such cities that sealed pr posals will be received for doing the work or furnishing th material or supplies. All bids shall be enclosed in a s ale envelope and deposited with the clerk of said b ard; an such sealed envelope shall have endorsed thereon the natu of the same, and the name of the bidder, and all bids shall b opened at a regular meeting of the board, and at an hour t be indicated in said notice. Each bid shall be accompanie by a bond signed by sufficient sureties, for the acceptance o the contract, if awarded by the board; or the bidder may d posit with the board, in lieu of such bond a certified check o cash, in such sum as the board shall indicate; and in case o refusal by the bidder to enter into a contract according to hi bid within such reasonable time as the b ard may determin said bonds shall be put in suit, and the amount collected pai to the park fund, or if check or cash is deposited, the amou shall be immediately paid into such fund. Said b ard sha enter into contracts with the lowest and best bidder, upon h giving bond to such city, with such sureties as the board sha approve, that he will perform the work and furnish materia in accordance with his contract and that the sureties agree i advance of [to] such modifications and alterations as may b made by the board and the contractor, and upon the failu of such bidder within reasonable time to be fixed by th board, to enter into bond with the sureties before provided, contract may be made with the next lowest bidder, and so o until a contract is effected with a contractor giving bond aforesaid; provided, that the board may let the work i whole or in parts, and may receive bids for labor and materia separately, as they may deem best and may reject any and a bids.

Interest in contracts or expenditures.

SECTION 18. No member of the board or any emplo shall be interested in any contracts entered into or expen ture made by said board.

Annual report of board.

SECTION 19. Said board of park commissioners sh annually make a report of its proceedings, together with t total amount of its expenditures, to the mayor of such city.

Repeals.

SECTION 20. That the act passed February 18, 1891, e titled "An act to provide for a board of park trustees in cit of the first grade of the first class," and any and all other ac and all sections or portions of the Revised Statutes of Oh in and so far as the same are inconsistent with any of the pr visions of this act are hereby repealed.

SECTION 21. This act shall take effect and be in for from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representati

ANDREW L. HARRIS,
President of the Sena

Passed April 15, 1892.

246G

[House Bill No. 117.]

AN ACT

To repeal an act entitled "An act to create a depositary commission in cities of the second class, third grade, and to establish a depositary for school funds of such cities, and to repeal an act passed March 12, 1889" (Ohio laws, vol. 86, page 80; said act passed March 17, 1891, O. L. 88, page 130, et seq.).

Repeals.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the act to create a depositary commission in cities of the second class, third grade, and to establish a depositary for school funds of such cities and to repeal an act passed March 12, 1889, O. L. vol. 86, page 80, passed March 17, 1891, be, and the same is hereby repealed.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.

ANDREW L. HARRIS,
President of the Senate.

Passed April 15, 1892.
247G

[Senate Bill No. 123.]

AN ACT

To grant the right of way for a public road along the Olentangy river on the west side of the Ohio state university farm.

Right of way for road or street through Ohio state university lands.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city of Columbus is hereby granted the right to construct and improve a public road or street through the lands of the Ohio state university, along the east bank of the Olentangy river, from the south line of said lands to the north line thereof at Woodruff avenue.

Regulations as to road or street.

SECTION 2. Said right of way shall not exceed eighty feet in width and shall be upon such line as may be agreed upon by the city engineer of said city and the board of trustees of said university. The road shall be of sufficient height above the river to completely protect said lands from overflow, and the material for its construction shall be taken from the river side of the embankment at such points as said trustees may direct.

Repeals.

SECTION 3. That the act entitled "An act to grant a right of way for the construction of a railway through the Ohio state university lands in the city of Columbus, Ohio" (O. L. 88 p. 317), passed April 16, 1891, be and the same is hereby repealed.

SECTION 4. This act shall take effect and be in fo from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representati
ANDREW L. HARRIS,
President of the Sen

Passed April 15, 1892.
248G

[House Bill No. 130.]

AN ACT

To repeal an act entitled "An act to require the county commissioner any county containing a city of the second class, third grade, to vide a depositary for the county funds, and to repeal an act pa March 11, 1889" (O. L., vol. 88, p. 124).

Repeals.

SECTION 1. *Be it enacted by the General Assemb'y of the S of Ohio*, That the act entitled "An act to require the cou commissioners in any county containing a city of the seco class, third grade, to provide a depositary for the county fun and to repeal an act passed March 11, 1889," be and the sa is hereby repealed.

SECTION 2. This act shall take effect and be in force fr and after its pas-age.

LEWIS C. LAYLIN
Speaker of the House of Representati
ANDREW L. HARRIS,
President of the Sen

Passed April 15, 1892.
249G

[Senate Bill No. 194.]

AN ACT

To amend sections 1549 and 1617 of the Revised Statutes of Ohio.

Classification, etc.:

SECTION 1. *Be it enacted by the General Assembly of the St of Ohio*, That sections 1549 and 1617 of the Revised Statut be and they are hereby amended so as to read as follows:

Villages.

Sec. 1549. Existing corporations, organized as incorp rated villages shall be villages until they become cities of the s ond class, and their grades, and the grades of those which m be, or may become, villages, shall be determined as follow

First class.

Those which, on the first day of July last, had, and those whic on the first day of July, in any year, have, when ascertained the manner stated in section fifteen hundred and forty-seve more than three thousand, and less than five thousand inhabi

Second class.

ants, shall be villages of the first class; and all other municip corporations having, when ascertained in the same manne more than two hundred and less than three thousand inhabi

ants, shall be villages of the second class; provided, that no municipal corporation shall pass into any other class or grade, under the operation of this section, or the preceding sections, fifteen hundred and forty-seven and fifteen hundred and forty-eight, unless the council shall first have declared, by a vote of two-thirds of all the members thereof, that such change of class or grade is expedient; provided, however, that nothing contained in this or the preceding sections fifteen hundred and forty-seven and fifteen hundred and forty-eight shall prevent the advancement of municipal corporations in the mode contemplated in the sixth chapter of this division, if it is deemed by the council expedient to submit the question in the way contemplated in that chapter.

Requirement for change of class or grade of municipal corporations.

Advancement of municipal corporations.

Sec. 1617. It shall be the duty of the governor, auditor and secretary of state, or any two of them, at the time of ascertaining the ratio of representation, as required by the eleventh section of the eleventh article of the constitution, to ascertain what municipal corporations are entitled to be advanced in class or grade; and the report of the secretary of state for such year shall contain the name of each municipal corporation, its grade and class, and its population as ascertained by the preceding federal census.

State officers to ascertain what municipal corporations may be advanced.

What to be published in report of secretary of state.

SECTION 2. Said original sections fifteen hundred and forty-nine and sixteen hundred and seventeen of the Revised Statutes are hereby repealed.

Repeals.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 15, 1892.
250G

[Senate Bill No. 199.]

AN ACT

To facilitate the enforcement and collection of license fees in cities of the first grade of the first class.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in cities of the first grade of the first class all persons or firms using any vehicles except cabs, hacks, sulkies, buggies and carriages upon the streets of any such city, shall exhibit in a conspicuous place upon each side of each vehicle for which annual license fees are required by law to be paid, a tin plate sign furnished or to be furnished by the city auditor, indicating the year for which such license has been taken out.

Tin plate signs on licensed vehicles (Cincinnati).

SECTION 2. The city auditor in cities of the first grade of the first class is hereby required to furnish with every

Duty of city auditor.

license issued for every such vehicle used upon the street
any such city, two tin plates having printed or painted ther
the year for which such license has been taken out.

Penalty.

SECTION 3. Any person who shall violate any of
provisions of this act shall be deemed guilty of a m
demeanor, and upon conviction thereof shall be punish
by a fine of not more than fifty dollars ($50).

Enforcement of act.

SECTION 4. It shall be the duty of the police or oth
officers clothed with police powers to enforce the provisi
of this act.

SECTION 5. This act shall take effect and be in fo
from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representati
ANDREW L. HARRIS,
President of the Sen

Passed April 15, 1892.
251G

[Senate Bill No. 271.]

AN ACT

To amend section 4686 of the Revised Statutes.

Township roads:

SECTION 1. *Be it enacted by the General Assembly of the St of Ohio*, That section 4686 of the Revised Statutes of Ohio amended so as to read as follows:

Public highways.

Sec. 4686. All township roads heretofore or hereaf established are hereby declared to be public highways; p vided, that in townships which by the federal census of 18 had, or by any subsequent federal census may have a popu tion of 1,140, in counties which by the last federal cens had, or by any subsequent federal census may have a popu tion of 26,959, all roads which commence in an establish road and pass on and intersect another established road, a which have been open and used by the public for more th twenty-one years as public highways shall be considered tow ship roads, and shall be kept in repair by the supervisors, t same as other established roads and highways.

Washington township, Pickaway county.

Repeals, etc.

SECTION 2. Said original section 4686 of the Revis Statutes is hereby repealed, and this act shall take effect a be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representati
ANDREW L. HARRIS,
President of the Sen

Passed April 15, 1892.
252G

[Senate Bill No. 278.]

AN ACT

To amend sections 4497 and 4498 of the Revised Statutes of Ohio, relating to cleaning out county ditches.

County ditches:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That sections 4497 and 4498 of the Revised Statutes of the state of Ohio be so amended as to read as follows:

Petition when ditch needs to be cleaned out

Sec. 4497. When a county ditch needs to be cleaned out, a petition signed by three owners of tracts of land through which the ditch runs may make a statement to the county auditor, in writing, setting forth such necessity, and thereupon the auditor shall appoint a commissioner who shall be a disinterested freeholder of the county, and furnish him with the number of stakes, a record of their location, the depth and width and other necessary information regarding the ditch, and set the time for cleaning the same. The commissioner so appointed shall, after being sworn, without unnecessary delay, examine and restake the ditch and notify the owners of each piece of land taxed for the original construction, designating the amount, dimension and location of his original apportionment to clean out the same within the time set by the auditor, unless he shall find that the necessity for cleaning out has occurred by the act or neglect of any landowner along the line of the ditch, in which case such act or neglect shall be considered. The commissioner shall then make a return of his proceedings to the auditor who shall make a proper record of the same.

Appointment and instruction of commissioner.

Duties of commissioner.

Acceptance of portions cleaned out.

Sections or portions unfinished.

Sec. 4498. At the expiration of the time for the cleaning out of the ditch, as fixed by the auditor, the commissioner shall examine the ditch and issue certificates of acceptance to all who have cleaned out their apportionment to the original depth and width. If any sections or parts of sections shall be found unfinished the commissioner shall advertise ten days and sell all such remainders in entirety or in sections to the lowest bidder, and the contractor or contractors shall give suitable bonds to complete the work in an acceptable manner within thirty days of sale, and the commissioner shall have power to enforce the conditions of the bonds. After the commissioner shall have accepted the entire ditch he shall return to the auditor a statement of such acceptance with an itemized statement of all necessary expenses, including cost of cleaning out and two dollars a day for himself and one dollar and fifty cents a day for necessary help for the time actually employed by himself and help, and the amount to be assessed to each tract, and if found to be correct the auditor shall make a proper record of the same and place the several amounts as apportioned by the commissioner upon the duplicate against the lands upon which they are assessed, to be collected as other taxes, and accredited to the general fund, and the commissioner and expenses and contractors shall be paid by warrant of the auditor on the county treasurer out of the general fund.

Acceptance of entire ditch; apportionment and payment of expenses.

Repeals, etc.

SECTION 2. That said original sections 4497 and 4498 and the same are hereby repealed; and this act shall ta effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representati
ANDREW L. HARRIS,
President of the Sen

Passed April 15, 1892.
253G

[House Bill No. 284.]

AN ACT

To provide for the division of cities of the first class, second grade, i police judicial districts and for police justices in said cities.

Police judicial districts and police justices (Cleveland).

SECTION 1. *Be it enacted by the General Assembly of [the] St of Ohio*, That in cities of the first class and second grade, t city council shall have the power to designate as many poli judicial districts as may from time to time be necessary, a shall provide for the election, term of office and compensati and territorial jurisdiction of a police justice for each poli

Jurisdiction of police judges.

judicial district, but nothing in this act shall prevent poli judges from having jurisdiction in any and all cases in a

Duties of city council.

police judicial district as herein provided for. The city cou cil shall provide a place where each police justice shall ho his court, prescribe the procedure therein, appoint a clerk each district, fix his compensation, term of office and

Official seals.

duties, subject to the provisions of this act. These cou shall have official seals, to be furnished by the city, on whi shall be engraved the state arms and the words "Police ju cial district No — of Ohio."

Regulations governing courts.

SECTION 2. Said police court justices shall hold th courts under and subject to such regulations as may be p scribed by the city council.

Jurisdiction and powers of police justices.

SECTION 3. Said police justices shall have final jurisd tion in all cases of violation of any ordinance of the city which they are located, except in cases where the accused entitled to a jury trial, and demand the same, or in cas where the validity of an ordinance is involved; in whi cases, the police justice shall forthwith certify the case wi all the papers and certified copies of the docket entries to t police court. The said police justices shall have power issue processes and preserve order and punish for contem grant motion for new trials, motions in arrest of judgme suspend executions of sentence upon notice of intention to a ply for leave to file petition in error, and shall exercise all oth

Sessions of court; service of processes.

powers necessary in the exercise of their jurisdiction. Sa court shall always be open for business, and the process issued by said courts shall be served by the police force said cities.

SECTION 4. Said police justices shall have power to make such rules of practice and procedure as are necessary to the exercise of their jurisdiction and allow the accused a full opportunity of being heard. Rules of practice and procedure.

SECTION 5. The clerks of said police districts shall have power to administer oaths, admit to bail, qualify sureties on bail bonds, and shall keep a full record of the proceedings of said courts; shall collect all fines and penalties and pay the same into the city treasury; and shall give a good and sufficient bond for the faithful performance of the duties in such sum as the city council shall determine. Powers, duties and bond of clerks of police districts.

SECTION 6. The compensation of a police justice shall not be less than $1,500 per annum, payable quarterly from the city treasury. Compensation of police justices.

SECTION 7. Said police justices shall be elected on the first municipal election held after the passage of this act; and the mayor of any city of the second grade and first class may appoint some suitable person or persons for each police judicial district in their respective cities, who shall hold the position until said election, with the full powers and subject to all the provisions of this act; provided, the city council shall make the divisions as provided in section 1 of this act; and if a vacancy should occur or any police justice be unable from absence, sickness or other cause to hold court, then the mayor may designate some suitable person, who shall hold court during said absence or inability of the police justice, or until the vacancy is filled by election. Election, appointment, etc., of police justices.

SECTION 8. The clerk of each police judicial district shall have power to adjourn court in the absence of the justice. Power of clerk to adjourn court.

SECTION 9. This act shall take effect on its passage.

ELVERTON J. CLAPP,
Speaker pro tem. of the House of Representatives.

ANDREW L. HARRIS,
President of the Senate.

Passed April 15, 1892.
254G

[Senate Bill No. 293.]

AN ACT

To regulate the manufacture, sale and use of dynamite within the state of Ohio, so as to provide for the inspection of such, and to protect the public from the dangers of explosion.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the chief state inspector of workshops and factories shall appoint from among the district inspectors of workshops and factories whose appointment is now authorized by law, at least one inspector who shall be a skilled and experienced person, thoroughly conversant with the manufacture and use of powder, dynamite, nitro-glycerine, fuses or Inspector of manufacture, handling and storage of explosives: appointment, qualifications, powers and duties.

other explosives and their compounds, whose duty it sh
be to inspect all the manufacturing establishments in t
state of Ohio wherein the manufacture of powder, dynami
nitro-glycerine compounds, fuses or other explosives are ma
factured, and shall personally inspect the process of manuf
ture, the handling and storage of such explosives, and may dir
and order any changes or additions that he may deem nec
sary in or about such manufactories for the safety of the e
ployes and the public; and when on inspection it is fou
that any manufactory or place for the storage of explosiv
mentioned herein is in such close proximity with any re
dence or dwelling as to cause accident in case of an explosi
the said inspector may cause the said explosives to be
moved to a place of safety, the distance to be calculated
the quantity and quality of the explosives so stored or ma
factured; and the said inspector may, with the advice
the chief inspector, advise such rules and regulations
he may deem necessary in addition to the provisions of t
statutes now giving authority to the inspector of worksh
and factories and his assistants, all of which shall be appli
ble to the places of manufacturing, sale and storage of e
plosives as named in this statute.

Enforcement of act, etc.

SECTION 2. The said inspector of workshops and factor
shall enforce the provisions of this act under the same con
tions and penalty as applied in section 2573c of the Revis
Statutes, as passed March 17, 1892; and this act shall ta
effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representati

ANDREW L. HARRIS,
President of the Sena

Passed April 15, 1892.
255G

[Senate Bill No. 294.]

AN ACT

Supplementary to section one of an act entitled "An act to authorize cit
having a population at the last federal census of five thousand f
hundred and sixty, or that may have at any subsequent federal c
sus such population, to build a freight and passenger railroad wit
its limits, and to own and control the same," passed March 26, 18

Construction of railway (Pomeroy):

SECTION 1. *Be it enacted by the General Assembly of the S*
of Ohio, That the following be enacted as supplementary
section one of the above named act:

Additional bonds for extension of railway.

Sec. 1*a*. That the authority given to cities having sa
population to build a line of railway between termini des
nated therein, shall be extended to the construction of a li
of railway whose termini shall be within the township in wh
said city is situated; and that the board of trustees appoint
as provided in said act are hereby authorized to borrow as

fund for that purpose, an additional sum to that already authorized by said act, not to exceed fifty thousand dollars; and to issue bonds therefor of and upon the municipal corporation, bearing interest at a rate not to exceed six per cent. per annum, payable at such times and places, and in such sums and for such time as said board shall deem best. Said bonds shall be signed by the president of said board and attested by the city clerk, who shall keep a register of the same, and for the redemption of the said bonds the faith of the city shall be pledged, and the annual levy of tax shall be made by the council thereof sufficient to pay the interest and [create] a sinking fund for the final redemption of said bonds. The bonds issued under this section shall not be sold or disposed of for less than their par value and to the highest responsible bidder or bidders.

Question of issue to be submitted to voters.

Sec. 2*a*. Provided, that no money shall be borrowed or bonds issued until after the question of borrowing additional money and issuing additional bonds shall be submitted to a vote of the qualified electors of the city, at a special election to be ordered by the city council thereof, of which not less than ten days' notice shall be given in two newspapers of opposite politics published in said city; and further provided, that a majority of said electors voting at said election shall decide in favor of issuing said additional bonds and borrowing said additional money. The returns of said election shall be made to the city council who shall declare the result by resolution.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 15, 1892.
256G

[Senate Bill No. 296.]

AN ACT

To authorize the council of any incorporated village having a population at the last federal census or any subsequent federal census of not less than four hundred and ninety-five nor more than five hundred and five, to issue bonds and borrow money for the purpose of improving the streets of said village by macadamizing, graveling or piking.

Street improvement bonds (Convoy).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of any incorporated village having a population at the last federal census or any subsequent federal census of not less than four hundred and ninety-five nor more than five hundred and five, shall have power to issue and sell the bonds of such village in any sum not exceeding seven thousand dollars, payable in ten annual installments of not less than seven hundred dollars each, bearing interest at a rate not exceeding six per cent., interest payable semi-annually.

Issue and sale, etc.

SECTION 2. Said bonds shall be signed by the ma and countersigned by the clerk of said village, and shal made payable at such place as the council of such village s provide. And said bonds shall not be sold for less than t par value, and may be issued and sold at such times places as the council of said village shall provide.

Application of proceeds.

SECTION 3. The money arising from the sale of s bonds shall be used by the council of said village for the pose of grading and improving the streets of said village, for no other purpose whatever.

Levy of tax.

SECTION 4. Whenever the bonds of said village shal issued as provided in this act it shall be the duty of council of such village to levy a tax on all the taxable prop of said village sufficient to pay the interest on said bonds principal as the same becomes due.

Question of issue to be submitted to voters.

SECTION 5. Before said bonds shall be issued the cou of said village shall submit the question of the issue of s bonds to the qualified electors of said village at a specia general election held in said village, of which notice shal gived by notices posted in five conspicuous places in village at least ten days previous to said election. Those siring to vote for said proposition shall have written or prin on their ballots the words, "Street improvement—Yes;" th voting against such proposition shall have written or prin upon their ballots the words, "Street improvement—No."

Issue and levy conditional.

SECTION 6. If two-thirds of all the votes cast at s election are in favor of said issue of said bonds and the l ing of said tax, the council of said village shall be author and empowered to issue said bonds and levy said tax.

SECTION 7. This act shall take effect and be in force f and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representat

ANDREW L. HARRIS,
President of the Se

Passed April 15, 1892.
257G

[House Bill No. 505.]

AN ACT

To authorize the boards of health of cities of the first grade of the se class to erect garbage crematories and to contract for the rem and disposition of garbage, dead animals and animal offal in cities.

Columbus garbage crematory; removal of garbage, etc.

SECTION 1. *Be it enacted by the General Assembly of the of Ohio*, That the boards of health of cities of the first g of the second class be and they are hereby authorized to e and maintain garbage crematories or furnaces and to cont for a period not exceeding ten years for the removal and

position of garbage, dead animals and animal offal, and the councils of such cities, in addition to taxation authorized to be levied for other purposes, be and they are hereby authorized to levy upon each dollar of the taxable property of said cities, as the same is listed for taxation upon the grand duplicate, two fifths of a mill a year for one year, in order to raise money to build, equip and maintain a garbage crematory or furnace. Said tax shall be collected as are other taxes, and money arising therefrom shall constitute a separate fund to be called the "garbage furnace fund," and shall be applied solely to the purposes for which it is raised. Additional tax levy.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,
Speaker pro tem. of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 15, 1892.
258G

[House Bill No. 657.]

AN ACT

To amend section one (1) of an act entitled "An act to provide against accidents on railroads and limit the hours of service," as amended April 23, 1891 (88 O. L., p. 344), and to supplement said act with two sections to be designated as section 2 and section 3.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 1 of an act entitled "An act to provide against accidents on railroads and limit the hours of service," as amended April 23, 1891, be amended so as to read as follows, and that supplementary sections 2 and 3 be enacted with sectional numberings as follows: Railroad companies:

Sec. 1. That any company operating a railroad over thirty miles in length, in whole or in part within the state, shall not permit or require any conductor, engineer, fireman, brakeman or any trainman on any train, or any telegraph operator who has worked in his respective capacity for fifteen consecutive hours, to again be required to go on duty or perform any work until he has had at least eight hours' rest, except in cases of detention caused by accident, unavoidable or otherwise. Ten hours shall constitute a day's work, and for every hour that any conductor, engineer, fireman, brakeman or any trainman, or any telegraph operator of any company who works under the direction of a superior, or at the request of the company, shall be paid for such extra services in addition to his per diem. Hours of service of certain railroad employes limited; exception. Day's work; extra compensation.

Sec. 2. Any railroad company or corporation knowingly violating any of the provisions of this act shall be liable to a penalty of not less than five hundred dollars ($500), nor more than one thousand dollars ($1,000) for the first offense, and for any subsequent offense, of not less than Penalty.

one thousand dollars ($1,000) nor more than fifteen hu
dred dollars ($1,500), which shall be recovered in a ci
action in the name of the state.

Duty of railroad commissioner.

Sec. 3. It is hereby made the duty of the railro
commissioner of this state to enforce the provisions of th
act when complaint is properly filed in his office.

Repeals, etc.

SECTION 2. That said original section 1, as pass
March 19, 1890, and amended April 23, 1891, be and t
same is hereby repealed; and this act shall take effect and
in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representativ

ANDREW L. HARRIS,
President of the Sena

Passed April 15, 1892.
259G

[House Bill No. 739.]

AN ACT

To amend section 4637 of the Revised Statutes.

County roads:

SECTION 1. *Be it enacted by the General Assemb'y of the S'a of Ohio*, That section 4637 of the Revised Statutes of [b
amended so as to read as follows:

Width of county roads.

Sec. 4637. All county roads hereafter laid out and e
tablished shall not be less than thirty nor more than six
feet wide, to be determined by the viewers as hereinaft
provided, except that when the road is upon the state line, th
county commissioners may determine the width not le
than fifteen nor more than thirty feet of the land to be take

Hamilton county.

in this state; and provided, further, that in any case whe
in any county containing a city of the first grade of the fi
class, a steam or electric road has been or may be establish
on and along any county road or state road under the contr
or supervision of the county commissioners, the county co
missioners may determine the width of the whole, or any pa
of said road over which said railroad passes, or ma
pass, not exceeding eighty feet; but in all such cas
the damages assessed by the viewers, on account
the establishing or widening of such road, as provid
by law in chapter 2, title 7 of the Revised Statut
of Ohio, unless voluntarily paid shall be duly assessed upo
the property abutting upon the road or part of road so e
tablished or widened, by the front foot; the same to be do
and collected in three annual installments, as provided l
law, governing assessments by municipal corporations.

Repeals.

SECTION 2. That said original section 4637 of the Revis
Statutes be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.

ANDREW L. HARRIS,
President of the Senate.

Passed April 15, 1892.
260G

[House Bill No. 792.]

AN ACT

To amend sections 660, 661, 662 and 664 of the Revised Statutes of Ohio.

Institution for the deaf and dumb:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 660, 661, 662 and 664 of the Revised Statutes of Ohio be amended so that said sections will read as follows:

How long pupils may remain.

Sec. 660. Pupils admitted into the institution may be permitted to remain such portion of the seven years as their progress seems to justify. But if at the end of said time their proficiency be not such as qualifies them to enter the grammar department of said institution, they shall be graduated as pupils of the primary department; but such pupils as give satisfactory evidence of marked ability and justify the expectation that they may become useful teachers, or occupy other respectable positions in life, and, upon examination at or before the expiration of seven years from their admission, show a sufficient proficiency to enter the said grammar department, may remain three years in addition to the time herein specified; but no pupil admitted into said institution from a county infirmary, or who after admission into said institution shall become a county charge, shall be discharged from said institution upon vacation, and sent to the county infirmary of any county, to remain during such vacation.

Pupil admitted from county infirmary, or becoming county charge.

Trades and arts to be carried on and taught.

Sec. 661. Shoemaking, printing, bookbinding, and the art of cutting, fitting and making wearing-apparel for females, shall be carried on and taught in the institution, and such other trades and arts as are found to be adapted to the capacity and wants of the deaf and dumb, the trustees in this behalf having regard for the good of the pupils and the economical administration of the institution.

Supervision of bookbinding, printing and making of feminine wearing-apparel.

Sec. 662. The bookbinding shall be under the supervision of the superintendent [supervisor] of public printing, and the superintendent shall assign from among the pupils, male and female, such number from time to time, as seems proper, and organize them into classes, and assign to each class such portions of each day as will best harmonize with their ordinary studies, and at the same time give sufficient opportunity to the teachers of binding to attend to their instruction; and the superintendent and teachers shall meet and consult monthly, and make such

change in the classes or order of instruction, and adopt rules in regard thereto as experience suggests, subject, ever, to the approval of the trustees; and the printing be under the supervision of the superintendent, who sh like manner assign pupils and arrange them in cl as provided for in regard to the art of teaching binding; and the art of cutting, fitting and m wearing-apparel for females shall be under the s vision of the matron, who shall assign to classes in art from among the female pupils such number, from ti time, as seems proper, arranging their classes, as pro for in the teaching of said other arts and trades.

Compensation of employes.

Sec. 664. Compensation to employes shall be p follows: To the male teachers of the academic depart not exceeding twelve hundred dollars per annum; the teachers of the grammar department, not exceeding ten dred and fifty dollars each per annum; the female teach the grammar department, not exceeding seven hundred lars each per annum; the male teachers of the prima partment, not exceeding nine hundred dollars eac annum; the female teachers of the primary departmen exceeding six hundred dollars each per annum; the ma the shoe-shop, not exceeding seven hundred dolla annum; the engineer, not exceeding one thousand d per annum; none of which employes shall reside at boarded in the institution; and the instructress in the cutting, fitting and making wearing-apparel for female exceeding three hundred and fifty dollars per annum in addition thereto such instructress may reside an boarded at said institution; provided, if such instru shall not reside and be boarded in said institution, she be paid in addition to the salary aforesaid the sum o hundred dollars per annum.

Repeals.

SECTION 2. That said original sections 660, 661, 66 664 be and they are hereby repealed.

SECTION 3. This act shall take effect and be in force and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Represent
ANDREW L. HARRIS
President of the

Passed April 15, 1892.
261G

[House Bill No. 880.]

AN ACT

To amend section 1 of an act entitled "An act to authorize the council of any incorporated village in the state of Ohio which contained at the federal census of A. D. 1890, or which at any subsequent federal census may contain a population of not less than 2,765 and not more than 2,775, to issue bonds and levy a tax for the payment of the same and the interest thereon for the purpose of building water-works and supplying water to said village and the purchase and erection of an electric light plant," passed March 30th, 1892.

Water-works and electric light plant bonds (Napoleon).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section one of the above entitled act be amended so as to read as follows: That the council of any incorporated village of the state of Ohio which at the federal census of 1890 had or which at any subsequent federal census may have a population of not less than 2,765, or more than 2,775, and any incorporated village in the state of Ohio which at the federal census of 1890 had or which [at] any subsequent federal census may have a population of not less than 2,760 and not more than 2,775, be and the same are hereby authorized to issue the bonds of said village in a sum not exceeding sixty thousand ($60,000) dollars, bearing interest at a rate not exceeding five per cent. per annum from the date of issue, payable semi-annually, and redeemable at such times as council by ordinance may prescribe, not more than thirty years from date, to be applied to the erection of a water-works and electric light plant for said village, to be owned and operated by said village.

Repeals.

SECTION 2. That said original section one of the above entitled act be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 15, 1892.
262G

[House Bill No. 889.]

AN ACT

To supplement section six of an act entitled "An act to authorize the council of any village of this state, having at the last federal census, or which may have at any subsequent federal census, a population of not less than 2,990 nor more than 3,000, to issue and sell bonds of such village for the purpose of supplying such village with a system of public water-works," passed February 18, 1891 (O. L. vol. 88, p. 44).

Water-works (Eaton):

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 6 of the above entitled act be supplemented by an additional section, with sectional numbering as follows:

Additional water-works bonds.

Sec. 6a. That when the council of any village aut
ized under this act to issue and sell bonds for the purpo
supplying such village with a system of water-works, h
proceeded under said act to provide such village with a
tem of water-works and have expended the amount
this act authorized for such purpose, and such amount
not sufficient to complete such system of water-works,
council of such village, in addition to the amount of bo
by this act authorized to be issued, is hereby authori
and empowered, without submitting the same to vote
issue additional bonds of such village, not exceeding n
thousand dollars ($9,000.00), to sell the same and apply
proceeds thereof in paying for water-works grounds, w
privileges and completing water-works for such vill
Said bonds shall be issued in such denominations,
payable at such time or times, not exceeding twenty ye
as such council may provide. Said bonds shall bear
terest at a rate not exceeding six (6) per centum per
num from the date of issue, payable semi-annually, and t
shall not be sold for less than their par value. They shal
signed by the mayor, countersigned by the clerk, and auth
ticated by the seal of such village. The proceeds realized fr
the sale of such bonds shall be used for the purpose of p
viding water-works grounds, water privileges, and complet
water-works for such village. For the payment of such bo
and accruing interest thereon, said council shall at the t
for making other levies, levy a tax sufficient in amo
each year to pay the bonds falling due and the inte
accrued.

Additional tax levy.

SECTION 2. This act shall take effect and be in
force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representati

ANDREW L. HARRIS,
President of the Se

Passed April 15, 1892.
263G

[House Bill No. 895.]

AN ACT

To amend an act to regulate burdens upon county roads in counties
ing at the federal census of 1880 a population of not more
thirty-three thousand five hundred and fifteen and not less
thirty-three thousand five hundred and ten, passed February
1891 (88 O. L. 35).

Regulations as to width of tires (Scioto county).

SECTION 1. *Be it enacted by the General Assembly of the S*
of Ohio, That in any county in this state having at
federal census of 1880 a population of not more than thi
three thousand five hundred and fifteen and not less t
thirty-three thousand five hundred and ten, the cou
commissioners shall have power to enforce the follow

regulations as to burdens hauled over all free turnpikes or improved county roads, viz.: All wagons and carts carrying a burden less than twenty hundred pounds, the wheels shall have a tire of not less than two inches in width; all vehicles carrying a burden not exceeding five thousand pounds, and drawn by two horses, the tire thereof shall not be less than three inches in width; all vehicles carrying a burden not exceeding eight thousand pounds, the tire thereof shall not be less than four inches in width; all vehicles carrying a burden exceeding eight thousand pounds, the tire thereof shall not be less than five inches in width; but nothing herein shall [prevent] the owner of real estate, his agents or tenants from using any character of vehicle, without reference to the burden carried or width of tire, in going from one portion of his premises to another portion thereof, along said turnpikes or roads.

Enforcement of act.

SECTION 2. The commissioners of any such county shall at the first regular meeting after the passage of this act make provisions for its proper enforcement.

Arrest and punishment of violator.

SECTION 3. It shall be the duty of any constable, marshal or other officer having police power to arrest any person found violating any of the provisions of this act, and the person so found violating any provisions of this act shall be fined not less than five dollars nor more than twenty five dollars by any justice of the peace of said county.

Repeals, etc.

SECTION 4. Said original act be and the same is hereby repealed and this act shall take effect and be in force from and after May 15th, 1892.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 15, 1892.
264G

[Senate Bill No. 129.]

AN ACT

To amend sections 411 and 439 of the Revised Statutes, and to enact supplementary section 410*a*, and to repeal an act entitled "An act to provide for the term of office of the judges of the supreme court and supplemental to chapter one, title four, part first of the Revised Statutes," passed April 10th, 1884 (81 v. 126).

Supreme court:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 411 and 439 of the Revised Statutes of Ohio be amended so as to read as follows; and that section 410 be supplemented with an additional section, to be numbered 410*a*:

Number, divisions election and term of judges.

Sec. 410*a*. The supreme court shall consist of six judges who shall be organized into two divisions by the court. The judges of the supreme court now in office shall hold their

offices during the terms for which they were respective elected, and that on the first Tuesday after the first Mond in November in the year 1892, two judges of the supre court shall be elected, one of whom shall be elected for t term of five years and one for the term of six years, a whose terms of office shall commence on the ninth day February next after said election. And every year after t year 1892, at the election for state and county officers, o judge of the supreme court shall be elected, whose term [office] shall commence on the ninth day of February ne after such election and continue for six years.

Chief justices.

Sec. 411. The two judges of the supreme court havi the shortest time to serve, not holding their office by a pointment or election to fill a vacancy, shall be the chi justices of their respective divisions, and as such shall pr side at all terms of such divisions; and in case of the abse of the chief justice of a division, the judge of such divi-i having in like manner the next shortest time to serve, sh preside in his stead, and the elder in service of the two chi justices of such divisions shall be the chief justice of the wh court, and as such shall preside at all terms of said court. a in case of his absence the other chief justice of a division the court shall preside in his stead.

Rules of practice.

Sec. 439. The supreme court may prescribe such rul for the regulation of its practice, the reservation of questio and the transmission of cases from the lower courts to th court, and remanding the same, as shall not be inconsiste with the constitution and statutes of the state. All decisio by either division of the court, in causes or matters not r served to the full court, shall be entered as the judgment the court. When the judges comprising either division divi as to the decision in a cause before it, the cause shall be r served for decision by the full court; and when different cau involving the same question are before the respective divi ions at the same time, such causes shall also be reserved f decision by the full court. If the whole court be divide evenly as to the decision in any cause, the judgment o' th lower court shall be entered as affirmed, and such decisio shall be held to be the law as to all such questions in oth causes until overruled by a majority of all the judges. A when the members of the court, in any matter of origin jurisdiction, divide evenly on any question or questio therein, the determination of the members with whom th chief justice votes shall be held to be the judgment of th court

Repeals, etc.

SECTION 2. That an act entitled "An act to provi for the term of office of the judges of the supreme court, a supplemental to chapter one, title four, part first of the R vised Statutes of Ohio," passed April 10, 1884, and sectio four hundred and eleven (411) and four hundred and thirt

nine of the Revised Statutes of Ohio are hereby repealed; and this act shall take effect on its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 15, 1892.
265G

[Senate Bill No. 288.]

AN ACT

To authorize the council of certain cities to issue and sell bonds in any sum not to exceed one hundred thousand dollars ($100,000.00), for the purpose of the general improvement and benefit of said city.

General improvement bonds (Mansfield).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of any city which at the last federal census had, or which at any subsequent federal census may have, a population of not less than thirteen thousand four hundred (13,400), nor more [than] thirteen thousand five hundred (13,500), be and is hereby authorized and empowered to issue and sell the bonds of said city in any sum not exceeding one hundred thousand dollars ($100,000.00), for the purpose of the general improvement and benefit of said city, the proceeds thereof to be expended as hereinafter provided; but no part of said sum shall be used or expended for the purpose of establishing or aiding manufacturing enterprises.

Interest; denominations; when payable; sale.

SECTION 2. Said bonds, when issued and sold, shall not bear interest at a higher rate than six per cent. per annum, interest to be payable semi-annually; said bonds to be of such denominations as the council shall determine and direct, not less than five hundred dollars ($500.00) each, and all of said bonds shall be made payable at such time and places as said council may prescribe by ordinance, but not to run longer than twenty years from the date thereof; said bonds shall not be sold for less than par.

Form; proceeds; when to be sold.

SECTION 3. Said bonds shall be signed by the mayor of the city and attested and registered by the city clerk, and shall express upon their face that they are issued for the general improvement and benefit of the city. The proceeds of the sale of said bonds shall be deposited with the treasurer of said city, and he shall disburse, under the directions of the city council. Said bonds may be sold from time to time in such amounts as the council may deem proper under the provisions in relation thereto as hereinafter provided.

Additional tax levy.

SECTION 4. If any of the bonds are issued as herein provided it shall be the duty of the council of the city to assess and levy a tax, and, if necessary in addition to that now authorized by law, on all the taxable property of and in any such city, sufficient to provide for the payment of the princi-

pal and interest of said bonds, as the same may become
and payable, and said taxes shall be collected as other ta
of said city.

Question of issue to be submitted to voters.

SECTION 5. Provided, however, and before said bo
can be issued and sold, the council of such city shall sub
the question of issuing the bonds as aforesaid to the qua
electors of said city at any regular or special election ca
and held for that purpose, of which election at least twe
days' notice shall be given by publication in at least
newspapers of general circulation in said city, which no
shall contain the time and places of holding such electio
If two-thirds of the vote cast upon the question of issu
said bonds be in favor of the issuing of the same, then,
as hereinafter provided, and not otherwise, shall the cou
of the city be authorized to issue the bonds. Those vot
in favor of issuing the bonds shall have written or printed
their ballots the words "Issuing bonds to improve the cit
Yes," and those voting against issuing the bonds the wo
"Issuing bonds to improve city—No;" provided, that

Donation to railroad company prohibited.

part of the money so raised by the issue of bonds shall
directly or indirectly donated to any railroad company
corporation.

SECTION 6. This act shall take effect and be in force
and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representati
ANDREW L. HARRIS,
President of the Se

Passed April 15, 1892.
266G

[Senate Bill No. 298.]

AN ACT

To prescribe for the administration of oaths by clerks of justices of peace in all townships whose boundaries are or which may here be wholly within the limits of a city of the first grade of the class.

Administration of oaths by clerks of justices of the peace (Cincinnati township, Hamilton county).

SECTION 1. *Be it enacted by the General Assembly of the S of Ohio*, That the clerks of justices of the peace in all to ships whose boundaries are or which may hereafter be wh within the limits of a city of the first grade of the first c and appointed in accordance with section 621*a*, Revised S utes of Ohio, as amended May 4, 1891, shall, in addition the duties heretofore exercised or prescribed to be perfor by them, have power to administer oaths in all cause matters brought, or which may be brought before the just of the peace for whom they serve as such clerks, and in business which may pertain to the office of such justice

Fees and costs.

the peace. It shall be the duty of such clerks to charge such services the respective fees and costs prescribed to charged by justices of the peace by section 621, Revised S

utes of Ohio, and to tax all such fees and costs in the respective causes and in the matters pertaining to the business of such justices of the peace, and return of same shall be made as provided by section 621*b*, as amended May 4, 1891. It shall be the duty of such clerks to keep an itemized account of all fees and moneys earned and which may be paid to and received by them in the administration of such oaths, and weekly make complete return and payment of same to such justices of the peace. It shall be the duty of such justices of the peace to make return of all such fees and moneys so received by them from such clerk to the city treasurer in the manner prescribed for the return of all other fees earned and collected by such magistrates as provided by section 621*b*, Revised Statutes of Ohio, as amended and passed May 4, 1891.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 15, 1892.
267G

[Senate Bill No. 304.]

AN ACT

To amend the act entitled "An act to authorize the board of trustees of the Ohio state university to issue certificates of indebtedness for certain purposes therein named," passed May 4, 1891 (O. L. 88, p. 591).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the act entitled "An act to authorize the board of trustees of the Ohio state university to issue certificates of indebtedness for certain purposes therein named," passed May 4, 1891, be amended so as to read as follows:

Ohio state university:

Sec. 1. That the board of trustees of the Ohio state university, for the purpose of providing for the erection and equipment, including electric light and power of buildings now under contract necessary for the proper work of said institution, and to pay the costs, expenses and estimates for such work as it progresses, be and it is hereby authorized to issue from time to time certificates of indebtedness to an amount not exceeding in the aggregate one hundred and twenty thousand dollars, in anticipation of the annual levies for the support of said Ohio state university provided by act of the general assembly of the state of Ohio, entitled an act to amend section 3951 of the Revised Statutes of Ohio, passed March 20, 1891; provided, that the amount of such certificates of indebtedness payable in any one year shall not exceed the sum of thirty thousand dollars; and provided that the whole amount of said certificates shall be paid by said

Certificates of indebtedness.

board of trustees out of the proceeds of said levies on or b
fore June 30th, 1897.

Attestation; interest; how payable; application of proceeds; sale or other disposition of.

Sec. 2. The certificates of indebtedness herein autho
ized shall be signed by the president and secretary of sai
board of trustees and sealed with the seal of said universit
shall bear such rate of interest as said board of trustees ma
determine, not exceeding six per cent. per annum, and sha
be payable by said board out of the revenues in anticipatio
of which they may be issued as herein provided; and th
moneys arising from the issue of such certificates shall b
applied exclusively to the purposes for which such certificat
may be issued. Said certificates shall be sold by said boar
of trustees at not less than their par value to the highest bi
der, after notice of the sale thereof has been given for twent
days in a newspaper of general circulation published in th
city of Columbus, or may be issued to contractors on sai
proposed buildings in payments of estimates for work don
by them.

Repeals, etc.

SECTION 2. Said original act of May 4, 1891, is hereb
repealed; and this act shall take effect from and after i
passage.

LEWIS C. LAYLIN,
Speaker of the House of Representative
ANDREW L. HARRIS,
President of the Senat

Passed April 15, 1892.
268G

[Senate Bill No. 308.]

AN ACT

Providing for the payment by the outgoing secretary of state to his su cessor of certain sums of money in litigation.

Preamble.

WHEREAS, Hon. Daniel J. Ryan has resigned the offi
of secretary of state, and is about to be succeeded by Hon.
L. Poorman, appointed to fill the vacancy thus occasione
and

WHEREAS, There is now in the hands of the outgoi
secretary of state the sum of $175 529 30, money paid hi
for official services in accordance with the provisions of sectio
148*a* of the Revised Statutes, which he has been enjoine
from paying into the state treasury, pending the determin
tion of various suits brought by the parties paying such fe
to recover back the same on the ground that they we
illegally and unconstitutionally exacted; therefore,

Custody of fees in litigation collected by outgoing secretary of state.

SECTION 1. *Be it enacted by the General Assemb'y of the St
of Ohio*, That the outgoing secretary of state be and he
hereby authorized and required to pay over to his successo
the incoming secretary of state, all sums of money in h
hands which have been paid him, or his predecessor in offi
for official services, and which he or his predecessor, have be

enjoined from paying into the state treasury, pending the determination of any suit or suits brought by parties paying such fees to recover back the same on the ground that they were illegally and unconstitutionally exacted; for which the incoming secretary of state shall give duplicate receipts, one of which duplicate receipts shall be filed with the auditor of state. Upon the paying over of such money, and the taking and filing with the auditor of state of a receipt for the same, the outgoing secretary of state shall be released and discharged from all responsibility or liability, either to the state of Ohio or to the parties paying such fees, growing out of the collection, the receipt, or the custody of the same. It shall be the duty of the incoming secretary of state to receive the sums of money aforesaid, and to give duplicate receipts for the same, and safely keep said sums of money, pending the final determination of the suits brought to recover back the same, and upon the final determination of each suit, he shall pay the money involved therein either into the state treasury or back to the parties originally paying it, if the court so adjudge and order. The bond of the incoming secretary of state shall be held and deemed to be conditioned for the faithful performance of the above duties with regard to the custody of the said money and the disposition of the same, and the sureties on such bond shall be bound and obligated therefor.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 15, 1892.
269G

[Senate Bill No. 309.]

AN ACT

To authorize certain cities of the fourth grade of the second class to construct, own and operate railways.

Bonds for construction of railway (Norwalk).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the city council of any city of the fourth grade of the second class having at the last federal census or at any subsequent federal census a population of seven thousand one hundred and ninety-five, be, and the said city council of any such city is hereby authorized (if the same is approved by the voters as hereinafter provided) to issue the bonds of said city in any sum not exceeding the sum of forty thousand dollars, bearing interest at a rate not exceeding six per cent. per annum from the date of issue, payable semi-annually, for the purpose of constructing a line of railway to be named by said council, between termini to be fixed by resolution or ordinance by said council, one of which shall be said city,

and the other of which shall be a point within the limit
the county in which said city is situated, upon the lin
some other railroad now constructed and in operation.

Issue sale and redemption of bonds.

SECTION 2. Said bonds shall be signed by the mayo
the city and countersigned by the clerk of said city, and
tested by the corporate seal. Said bonds shall be sold acc
ing to law, and for not less than their par value, and s
be issued in such amounts respectively as will in the j
ment of said council, best subserve the negotiation and
thereof; the principal shall be payable at such times as
council of said city may determine by ordinance,

Levy of tax.

within a period not exceeding twenty years; and said
is hereby authorized to levy a tax upon all the tax
property of said city, sufficient with the net income or
enues derived from said railroad, to pay the interest of
bonds, and provide a sinking fund to pay said bond
they mature.

Construction and operation of railroad.

SECTION 3. The funds realized from the sale of said bo
shall be used for the purpose of purchasing right of way
and constructing and operating said railroad, which rail
when completed, shall be used, operated and controlle
such manner as may be provided by law and the ordina

Board of trustees.

of said city; and the money arising from the sale of
bonds shall be under the control of, and expended b
board of five trustees, to be appointed by the court of c
mon pleas of the county in which said city may be situ
on the application of the mayor of said city; said trustee
give bonds as ordered by the court for the faithful disch
of their duties in the premises. Said trustees shall have
power and capacity to make contracts for the construction
such railway, but shall not be authorized to pay over to
contractor, the proceeds of the sale of such bonds or any
thereof until a line of railroad is fully constructed over
route between such termini.

Question to be submitted to voters.

SECTION 4. The said city council is hereby author
and required to submit the proposition to issue said bo
and levy said tax to a vote of the electors of said city,
prescribe by ordinance the time and manner of voting on
same, and if two-thirds of the votes cast at said election s
be in favor of said proposition, then said council shall h
authority to issue said bonds and levy said tax, and not ot

Limitation.

wise; provided, that said bonds shall not be issued after th
years from the date of said election.

Appropriation of public property.

SECTION 5. Whenever, in the construction of a lin
railway, as herein provided, the board of trustees shall fin
necessary to use or occupy any street, alley or other pu
way, space or ground, or any part thereof belonging to
city, proceedings shall be commenced and conducted in
cordance with the laws in force at the time, for the appro
tion of such rights or easements by street railway compan
except that the oath and verdict of the jury, and the judgm
of the court shall be so varied as to suit the case.

Appropriation of private property.

SECTION 6. Whenever, in the construction of a lin
railway, as herein provided, it shall be necessary to appro

ate land for right of way of said railway or any other purpose, or to appropriate any rights or franchises, proceedings shall be commenced and conducted in accordance with the laws in force at the time for the appropriation of such private property for the use of corporations, except that the oath and verdict of the jury, and judgment of the court shall be so varied as to suit the case.

Disposition of railway.

SECTION 7. The said city council shall have power to sell said railway or to rent and lease the right to use and operate the same, upon such terms and conditions as they may deem best for the interests of said city.

Donations.

SECTION 8. Said trustees shall also have power in behalf of said city to receive donations of land, money, bonds and other property and to dispose of the same in aid of the construction of said railway.

SECTION 9. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed April 15, 1892.
270G

[Senate Bill No. 310.]

AN ACT

To supplement section 148 of the Revised Statutes.

Secretary of state:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 148 of the Revised Statutes be further supplemented as follows:

Disposition of fees.

Sec. 148*b*. After retaining of the fees collected in his office the sum prescribed in section 148, the secretary of state is authorized and it is hereby made his duty, to pay into the state treasury to the credit of the general revenue fund for general revenue purposes, all fees which have been paid or may hereafter be paid under section 148*a*, whether the same be paid under protest or not; and in all cases where fees paid under protest, to recover which while held by him suit would lie against the secretary of state, are so paid into the state treasury, actions to recover such fees shall be brought against the state of Ohio and not against the secretary of state, permission being hereby granted to maintain actions for such purposes against the state instead of the secretary of state, but only in the cases and to the extent that such actions might be maintained against the secretary of state, if the fees were still held by him. Service of process in such cases shall be made on the attorney-general, who shall represent the state and protect its interests.

Action to recover fees paid under protest.

SECTION 2. This act shall take effect and be in for from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representative
ANDREW L. HARRIS,
President of the Senat

Passed April 16, 1892.
271G

[Senate Bill No. 317.]

AN ACT

To authorise the councils of certain villages in the state of Ohio to iss bonds for the purpose of public improvements.

Public improvement bonds (Loudonville).

SECTION 1. *Be it enacted by the General Assembly of the St of Ohio*, That the council of any village containing a popul tion of not less than 1,440 or more than 1,450 at the last fe eral census or which at any subsequent census may have su population, be and the same is hereby authorized and e powered to issue the bonds of such village in any sum n exceeding twenty thousand dollars, in denominations n exceeding one thousand dollars each, bearing interest not e ceeding six per cent. per annum, payable annually, and payab at any time not exceeding fifteen years from the date of the issue, as the council of such village shall determine. Said bon shall be advertised for public sale; the sale of said bonds sha be to the highest and best bidder, after thirty days' notice at least two newspapers of general circulation in said villa setting forth the nature, amount, rate of interest and leng of time the bonds have to run, with the time and pla of sale; said bonds shall be sold at not less than their p value.

Application of proceeds.

SECTION 2. The proceeds arising from the sale of sa bonds or any portion of them shall be expended for the pu pose of aiding and encouraging public improvements.

Question of issue to be submitted to voters.

SECTION 3. Before such bonds or any of them shall issued the question of issuing the same shall be submitted a vote of the qualified electors of such village at a regular special election to be held at the usual places of voting such village, and at such time as the council thereof may d termine. The ticket to be voted at such election shall ha written or printed thereon, "Authority to issue bonds—Yes "Authority to issue bonds—No." If the proposition issue bonds be approved by a majority of those voti thereon at such election, then the council of su village may issue and sell said bonds for the pu pose heretofore named and as provided in this a Notice of such election shall be published in at least two new papers published or circulating in such village for not le than ten days prior to such election, which shall in all

spects not herein provided for be managed and conducted as other village elections are or may be required by law to be managed and conducted in villages.

Additional tax levy.

SECTION 4. To pay the principal and interest of any of said bonds as the same shall become due, the council of such village are authorized and empowered to levy a sufficient tax on all the taxable property of any such village in addition to all other taxes authorized by law; said tax shall be levied and collected as other taxes in such villages.

Limitations.

SECTION 5. That if the bonds herein provided for shall not be issued or disposed of within five years from April 1st, 1892, then this act shall be null and void; and if at the expiration of that time there remains a portion of said bonds which have not been issued or disposed of, then that portion of said bonds shall be void and of no effect.

SECTION 6. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed April 15, 1892.
272G

[House Bill No. 698.]

AN ACT

To regulate burdens of vehicles upon county roads in counties having at the last federal census a population of not less than thirty-nine thousand five hundred and fifty, nor more than thirty-nine thousand five hundred and sixty.

Regulations as to width of tires (Lawrence county).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That in any county in this state, which at the last federal census had or at any subsequent census may have a population of not less than thirty-nine thousand five hundred and fifty, nor more than thirty-nine thousand five hundred and sixty, the county commissioners of any such county shall have power to enforce the following regulations as to burdens hauled on all free turnpikes or improved county roads: For vehicles carrying a burden of over twenty-five hundred pounds and not over forty-five hundred pounds, a tire not less than two and one-half inches wide shall be used; for vehicles carrying a burden of forty-five hundred pounds and not over sixty-five hundred pounds, a tire not less than three inches wide shall be used; for vehicles carrying a burden of sixty-five hundred pounds and not over eighty-five hundred pounds, a tire not less than three and one-half inches wide shall be used; for vehicles carrying a burden of over eighty-five hundred pounds, a tire not less than four inches wide shall be used.

Enforcement of act.

SECTION 2. The county commissioners of any such county may, at the first regular meeting, after the passage of

this act, agree upon the enforcement of the provisions of the same, and enter their proceedings upon the records of their office, and may thereupon give notice, by publication, that it will be enforced from and after the first day of July, eighteen hundred and ninety-three.

Arrest and punishment of violator.

SECTION 3. It shall be the duty of any constable, marshal, or other officer having police power, to arrest any person found violating any of the provisions of this act, who shall be fined not less than five dollars nor more than ten dollars, with costs, by any mayor or justice of the peace in said county.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed April 15, 1892.
273G

[House Bill No. 721.]

AN ACT

To amend sections 2271, as amended April 29th, 1891 (88 O. L. 436), 2277, 2280 and 2281, of the Revised Statutes of the state of Ohio.

Assessments:

SECTION 1. *Be it enacted by the General Assemb'y of the State of Ohio,* That sections 2271, as amended April 29th, 1891, 2277, 2280 and 2281 of the Revised Statutes of Ohio be so amended as to read as follows:

Limitation of special assessments: Hamilton county municipalities.

Sec. 2271. In cities of the first grade of the first class, and in corporations in counties containing a city of the first grade of the first class, the tax or assessment specially levied or assessed upon any lot or land for any improvement, shall not, except as provided in section twenty-two hundred and seventy-two, exceed twenty-five per centum of the value of such lot or land after the improvement is made, and the cost exceeding that per centum shall be paid by the corporation out of its general revenue; and, except as provided in section twenty-two hundred and seventy-two, there shall not be collected of such assessment, in any one year, more than one-tenth of such value of the property on which the assessment is made; and in other cities of the first class, the tax or assessment specially levied or assessed upon any lot or land for any improvement, shall not, except as provided in section twenty-two hundred and seventy-two, exceed twenty-five per centum of the value of such lot or land, as determined by the council in advance of the assessment or at the time of making the same, which valuation shall not exceed a fair market value of such lot or land after the improvement is made, and the cost exceeding that per centum shall be paid by the corporation out of its general revenue; and, except as pro-

Cleveland and Toledo.

vided in section twenty-two hundred and seventy-two, there shall not be collected of such assessment, in any one year, more than one-tenth of such value of the property on which the assessment is made; and in cities of the third grade, first class, said tax or assessment shall not in any case exceed twenty-five per centum of the value of such lot or land after the improvement is made, and such value shall not be determined in advance, nor by the common council; and whenever any street or avenue is opened, extended, straightened, or widened, the special assessment for the cost and expense, or any part thereof, shall be assessed only on the lots and lands bounding and abutting on such part of such street or avenue so improved, and shall include of such lots and lands only to a fair average depth of lots in the neighborhood, but shall also include other lots and parts thereof and lands to such depth; and whenever at least one-half in width of any street or avenue has been dedicated for such purpose from the lots and lands lying on one side of the line of such street or avenue, and such street or avenue is widened by taking from lots and lands on the other side thereof, no part of the cost and expense thus incurred shall be assessed upon the lots and lands lying on said first mentioned side, but only upon the other side, and as aforesaid, but said special assessment shall not be in any case in excess of benefits; provided that in any case in which a street or avenue is opened, extended, straightened, or widened, a part of the cost and expense thereof, not in excess of benefits, may be assessed upon the lots and lands bounding and abutting on any such other part, or said "first mentioned side," of such street or avenue, or of any intersecting street or avenue, as the owners of a majority of the feet front thereof have petitioned for such improvement and consented in such petitions to be so assessed; also provided, that nothing in this section contained shall apply to any improvement ordered, commenced or completed prior to the passage of this act. Toledo.

Sec. 2277. In cases wherein it is determined to assess the whole or any part of the cost of an improvement upon the lots or lands bounding or abutting upon the same, or upon other lots or lands benefited thereby, as provided in section twenty-two hundred and sixty-four, the council may require the board of improvements, board of control, or board of public works, as the case may be, or may appoint three disinterested freeholders of the corporation or vicinity, to report to the council an estimated assessment of such cost on the lots or lands to be charged therewith, in proportion, as nearly as may be, to the benefits which may result from the improvement to the several lots or parcels of land so assessed, a copy of which assessment shall be filed in the office of the clerk of the corporation for public inspection; provided that in cities of the second grade of the first class said estimated assessment shall show in separate columns, the board's estimate: 1st, of the value of the respective lots or lands after the improvement is made; 2d, of the benefit conferred by the improvement; and 3d, of the amount of tax assessed. Report of estimate of assessments. Cleveland.

Equalization of assessments.

Sec. 2280. On a day appointed by the council for that purpose, the board, after taking an oath before a proper officer, honestly and impartially to discharge their duties, shall hear and determine all objections to the assessment, and equalize the same, as they may think proper; which equalized assessment they shall report to the council, which shall have power to confirm the same, or set it aside, and cause a new assessment to be made, and appoint a new equalizing board possessing the same qualifications, which shall proceed in the manner above provided. Provided, however, that in cities of the second grade of the first class said equalizing board shall have power to report a reduction of the total assessment and that said report shall show value, benefit, and tax in separate columns as required for the original estimated assessment.

Cleveland.

Confirmed assessment final; Cleveland.

Sec. 2281. When the assessment is confirmed by the council it shall be complete and final; provided, that in cities of the second grade of the first class it shall be complete and final as to value, benefit, and tax assessed.

Repeals, etc.

SECTION 2. That said section 2271, as amended April 29th, 1891, and said original sections 2277, 2280, and 2281, be repealed, and this act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.

ELBERT L. LAMPSON.
President pro tem. of the Senate.

Passed April 15, 1892.
274G

[House Bill No. 850.]

AN ACT

To authorize cities of the third grade of the first class to issue bonds for bridge purposes.

Bonds for construction of bridges (Toledo).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city council of any city of the third grade of the first class be and the same is hereby authorized and empowered, for the purpose of procuring funds for the construction of bridges, to borrow a sum of money not exceeding seventy-five thousand dollars, and issue the bonds of said city therefor in denominations of not less than five hundred dollars nor more than one thousand dollars each, payable in not less than fifteen years nor more than twenty-five years from the date of their issue, and bearing interest at a rate not to exceed four and one-half per cent. per annum, payable annually or semi-annually as such council may determine. Such bonds shall be designated, issued and sold in all respects in such manner as is or may be prescribed by law.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ELBERT L. LAMPSON
President pro tem. of the Senate.

Passed April 15, 1892.
275G

[Senate Bill No. 283.]

AN ACT

To amend section 3336 of the Revised Statutes of Ohio, as passed May 18, 1886 (O. L., vol. 83, p. 153).

Railroad companies:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 3336 of the Revised Statutes of Ohio be amended so as to read as follows:

Signals at railroad crossings.

Sec. 3336. Every company shall have attached to each locomotive engine passing upon its road, a bell of the ordinary size in use on such engine, and a steam whistle; and the engineer or person in charge of an engine in motion and approaching a turnpike, highway, toward [town road] crossing or private crossing where the view of said private crossing is obstructed by embankment, trees, curve or any other obstruction to view, upon the same line therewith, and in like manner where the road crosses any other traveled place, by bridge or otherwise, shall sound such whistle at a distance of at least eighty and not further than one hundred rods from the place of such crossing, and ring such bell continuously until the engine passes such crossing; but the provisions of this section shall not interfere with the proper observance of any ordinance passed by any city or village council regulating the management of railroads, locomotives and steam whistles thereon, within the limits of such city or village.

Repeals.

SECTION 2. That said section 3336 be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 16, 1892.
276G

[Senate Bill No. 344.]

AN ACT

To authorize villages of the first grade having a population at the last federal census of not less than three thousand six hundred (3 600) nor more than three thousand six hundred and twenty (3,620), or which may have such population at any subsequent federal census, to issue and sell bonds, but not exceeding twenty thousand ($20,000.00) dollars in amount, for the purpose of purchasing, erecting, operating and owning electric light plants.

Electric light plant bonds (Wapakoneta).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That villages of the state of Ohio of the first grade having a population at the last federal census of not less than three thousand six hundred (3,600) nor more than three thousand six hundred and twenty (3,620), or which may have such population at any subsequent census, be and they are hereby authorized and empowered to issue and sell their bonds in any sum not exceeding twenty thousand ($20,000.00) dollars for the purpose of purchasing, erecting, operating and owning electric light plants to be used in supplying lights for streets and other public lighting and lights for private use.

Issue, sale and form.

SECTION 2. Said bonds shall be issued and sold as other bonds are issued and sold under existing laws for other public improvement. They shall bear date the day of issue, shall express upon their face the purpose for which issued and sold, the act of the general assembly of the state of Ohio by which said issue and sale are authorized, shall be signed by the mayor and attested and registered by the village clerk the same as other bonds are now authorized by law for public improvements, and said bonds, in the discretion of the village council, may have interest coupons attached

Redemption.

SECTION 3. Said bonds shall not run for a time greater than twenty-five (25) years from the date of their issue, and shall, together with interest, be made payable at such place or places as the council may direct.

Interest; custodian of proceeds.

SECTION 4. Said bonds shall not draw interest at a rate exceeding six (6) per centum per annum, payable semi-annually. The money obtained from the sale of such bonds shall be paid into the hands of the village treasurer, who shall hold and distribute the same under the orders of the village council.

Question of issue and sale to be submitted to voters.

SECTION 5. Before any such bonds shall be issued and sold, the question of the issue and sale of said bonds for the purpose herein specified shall be submitted to the qualified electors of said village at a regular or special election called for the purpose of voting on such question; the ballots used by such electors shall have written or printed thereon the words "For the construction of an electric light plant—Yes," and "For the construction of an electric light plant—No." And if a majority of such electors voting on said question shall vote "Yes," then said village shall issue said bonds as above expressed.

SECTION 6. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 16, 1892.
277G

[House Bill No. 388.]

AN ACT

Making appropriations for the last three quarters of the fiscal year ending November 15th, 1892, and the first quarter of the fiscal year, 1893.

General appropriations.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the following sums are hereby appropriated out of any moneys in the treasury to the credit of the general revenue fund, not otherwise appropriated, for uses and purposes herein specified, to-wit:

Adjutant-General's Department:

Salary of clerks, nine hundred dollars ($900.00).

Contingent expenses and inspection, one thousand and eighty dollars ($1,080.00).

Transportation of indigent soldiers, one hundred dollars ($100.00).

Care of military stores and freight on arms, eleven hundred dollars ($1,100.00).

For completing and shipping soldiers' rosters, nine thousand dollars ($9,000.00).

Carpets and furniture, three hundred dollars ($300.00).

Ohio National Guard:

Pay O. N. G. in camp, thirty-two thousand five hundred dollars ($32 500.00).

Subsistence O. N. G., twelve thousand dollars ($12,000.00).

Fuel, etc., O. N. G., three thousand dollars ($3,000 00).

Transportation O. N. G., eleven thousand dollars ($11,000.00).

Horse hire for batteries, four thousand dollars ($4,000.00).

Forage for horses, four hundred dollars ($400.00).

Incidental expenses of military companies, twelve thousand four hundred dollars ($12,400 00).

Uniforms, overcoats and blankets, twelve thousand five hundred dollars ($12,500.00).

Tents and repairs, one thousand dollars ($1,000 00).

State-House and Grounds:

Extra labor, five hundred dollars ($500.00).

Material and repairs, one thousand dollars ($1,000 00).

Fuel for state-house, five hundred dollars ($500.00).

General appropriations.

Water rent, four hundred dollars ($400.00).

Care and repair of heating apparatus, six hundred dollars ($600.00).

Lighting state-house with electric light, eight thousand five hundred dollars ($8,500.00).

Ohio State Board of Agriculture:

Encouragement of agriculture, five thousand dollars ($5,000.00).

Contingent expenses and book-case, eight hundred dollars ($800.00).

Agricultural Experiment Station:

Expenses of board of control, two hundred dollars ($200.00).

Barns for feeding experiments, ten thousand dollars ($10,000.00).

For boiler-house, tool-house, green house, heating building and apparatus, gas and water supply, and the improvement of buildings, twelve thousand five hundred dollars ($12,500.00).

Fencing and drainage, two thousand dollars ($2 000.00).

Fruit, stock and forestry planting, one thousand dollars ($1,000.00).

For spraying experiments, five hundred dollars ($500.00).

Provided, that the appropriation for the said agricultural experiment station for the various improvements h-rein mentioned shall not be available until pending litigation is fully determined by the supreme court in favor of the validity of the act passed April 23, 1891 (88 O. L., p. 353), providing for the locating of the said experiment station; provided that appeal is taken and perfected from the decision of the circuit court to the supreme court within one month from the passage of this law.

Attorney-General:

Salary of extra clerk, two hundred dollars ($200 00).

Contingent expenses, four hundred dollars ($400 00).

Fees on collections, one thousand dollars ($1,000 00).

Books, desks, carpets and painting, two hundred and fifty dollars ($250 00).

Auditor of State:

Contingent expenses, fifteen hundred dollars ($1,500 00).

Additional clerk hire, eight hundred dollars ($800 00).

Furniture, carpets and repairs, three hundred dollars ($300.00).

Board of Health:

General expenses of the board, five thousand five hundred dollars ($5,500.00).

To pay for destruction of building at Urbana camp ground, destroyed by order of board of health, five hundred dollars ($500.00).

Board of Live Stock Commissioners:

General expenses of board, four thousand dollars ($4,000.00). General appropriations.

Board of State Charities:

Expenses of board, including investigations when ordered by the governor, three thousand four hundred dollars ($3,400.00).

Board of Public Works:

Miami and Erie canal, keeping in repair and improvement of, all of its earnings and its balances, except as below appropriated.

Northern division Ohio canal, keeping in repair and improvement of, all of its earnings, except as below appropriated, its balances, and twenty-two thousand dollars. Provided, that five thousand dollars of the amount so appropriated may be used for rebuilding the Roscoe aqueduct ($22,000 00).

Southern division Ohio canal, keeping in repair and improvement of, all of its earnings, except as below appropriated, its balances, and twenty-one thousand five hundred dollars, provided that fifteen hundred dollars of the amount so appropriated, may be used for the Hocking canal ($21 500 00).

Hocking canal, all of its earnings.

Walhonding canal, all of its earnings and balances.

Contingent expenses, five hundred dollars ($500 00).

Attorney's fees, to be paid out of earnings of canal for which services are rendered, twenty-five hundred dollars ($2,500.00).

Members' traveling expenses for each, to be paid according to law equally out of the earnings of each division, six hundred dollars ($600.00).

Salary of secretary, one thousand five hundred dollars ($1,500.00).

For clerk hire, seven hundred dollars ($700 00).

For letter file, one hundred and seventy-five dollars ($175.00).

Canal Commission:

Expense of commission, four thousand dollars ($4.000.00).

Salaries of members, two hundred dollars ($200 00).

Ohio Dairy and Food Commissioner:

Salary of commissioner, fifteen hundred dollars ($1,500.00).

Salaries of assistant commissioners, two thousand dollars ($2,000.00).

Expenses of chief commissioner, eight hundred dollars ($800 00).

Expenses of assistant commissioners, twelve hundred dollars ($1,200 00).

Compensation of chemist, four hundred and fifty-seven dollars ($457.00).

Expenses of inspections, prosecutions and publications of results of analysis, ten thousand dollars ($10,000.00).

Commissioner of Common Schools:

General appropriations.

Traveling expenses, three hundred and seventy-thr dollars ($373.00).

Contingent expenses, five hundred and fifty dolla ($550.00).

Boxing and shipping reports, forty dollars ($40.00).

State school-book board, expenses of, one hundred dolla ($100 00).

Per diem and expenses of state school examiners, s hundred dollars ($600.00).

Stenographer, four hundred dollars ($400.00).

Commissioner of Railroads and Telegraphs:

Experts to examine bridges, structures and railroad a pliances, eight hundred dollars ($800 00).

Contingent expenses, six hundred dollars ($600.00).

Expenses outside of office, two hundred dollars ($200.0

Bureau of Statistics of Labor:

Clerk hire, twenty-one hundred dollars ($2,100 00).

Contingent expenses, four thousand dollars ($4 000.0

Traveling expenses, four hundred and fifty dolla ($450.00).

Commissioners of Public Printing:

Printing paper, twenty thousand dollars ($20,000 00).

Fish and Game Commission:

Fish propagation, investigation of streams and prosec tion of violators of fish and game laws, expenses of commi sioners and salaries of wardens, six thousand dollars ($6,000.0

Expense of transporting fish for stocking streams, tw thousand dollars ($2 000.00).

Ohio Hospital for Epileptics:

For construction and furnishing to be expended und the direction of the trustees, one hundred and five thousa dollars ($105,000.00).

Executive Department:

Contingent expenses, newspapers and clerk hire, fifte hundred dollars ($1,500 00).

Horticultural Society:

Promotion of horticulture, pomology, etc., one thousa dollars ($1,000.00).

Inspector of Mines:

Contingent expenses, two thousand two hundred a thirty-five dollars ($2,235.00).

Clerk hire, seven hundred dollars ($700 00).

Book-case, seventy-five dollars ($75.00).

Inspector of Workshops and Factories:

Traveling expenses of chief inspector, one thousand dollars ($1,000.00). General appropriations.

Traveling expenses of district inspectors, sixty-five hundred dollars ($6,500.00).

Contingent expenses, one thousand dollars ($1,000.00).

Clerk hire, two thousand and fifty dollars ($2,050.00).

Furniture and repairs, one hundred dollars ($100.00).

Scientific and mechanical appliances, four hundred dollars ($400.00).

Attorneys' fees, four hundred dollars ($400.00).

Type-writer and cabinet, one hundred and twenty-five dollars ($125.00).

Salary of eight additional inspectors, six thousand three hundred and thirty-three dollars and twelve cents ($6,333.12).

Ohio State Reformatory:

For construction, one hundred and eighty thousand dollars ($180,000.00).

Law Library:

Statutes of states and books for law library, fifteen hundred dollars ($1,500.00).

Telephone, sixty dollars ($60 00).

Shelving, book-racks, furniture and repairs, four hundred dollars ($400.00).

Legislature:

For Frederick Blankner, third assistant sergeant-at-arms of the house, for taking charge of the senate chamber and hall of the house and committee rooms after the adjournment of the general assembly in the spring of 1892, and taking care of the same until the meeting of the general assembly in January, 1893, and preparing the same for said meeting, and for taking care of the bill-books and other property of the members as requested by them, one thousand dollars ($1,000.00), to be paid to him at the rate of four dollars ($4) per day, on the warrant of the auditor of state. For an assistant for said Frederick Blankner in the performance of the foregoing duties, at the rate of two dollars per day, when by him necessarily employed, four hundred dollars ($400.00), to be paid to said assistant on the warrant of the auditor of state ($1,400.00).

Contingent expenses of clerk of senate, one hundred and twenty-five dollars ($125 00).

Book-case for office of senate clerk, one hundred and fifty dollars ($150.00).

Contingent expenses of clerk of house, one hundred and fifty dollars ($150.00).

For chief clerks of the senate and house of representatives, one thousand dollars each ($1,000.00), for completing the record of the journals of the senate and house of representatives for the present session. The money thus appropriated to be paid at the rate of five dollars per day as the work of completing said record progresses; but the full

General appropriations.

amount shall not be paid until the work is fully complet and the auditor of state is hereby authorized to draw his w rant, from time to time, on the treasurer of state in favor said clerks, upon the presentation by them of proper vouche duly certified by said clerks to be correct, for such sum as m be therein designated, until the aforesaid sum of one th sand dollars to each shall have been fully paid ($2,000.00).

For salaries and mileage of members of the general asse bly, per diem of clerks, sergeants-at-arms and employes wh the general assembly is in session, and the payment of t clerks of the house and senate after adjournment, as provid in sections 39, 43 and 45 of the Revised Statutes, fifteen th sand dollars ($15,000.00).

House contingent fund, including expenses incurred u der house joint resolution number 16, two thousand doll ($2,000.00).

Senate contingent fund, fifteen hundred dollars ($1,500.0

Expenses of legislative committees, fifteen hundred d lars ($1,500.00).

Desk for senate clerk, one hundred dollars ($100 00).

For carpets, cleaning and painting senate and hou clerks' offices, four hundred dollars ($400 00).

Ohio Meteorological Bureau:

Expenses of, one thousand dollars ($1,000.00).

Weekly crop and weather reports, five hundred doll ($500 00).

Ohio Penitentiary:

Salaries of officers, seventeen thousand six hundred a sixty-eight dollars ($17,668.00).

Salaries of guards, sixty-five thousand dollars ($65.000 0

Current expenses, eighty-five thousand dollars ($85,000.0

Manufacture of gas, six thousand dollars ($6,000.00).

Expenses of executions, three thousand dollars ($3,000 0

Improvement of lights, one thousand dollars ($1,000 0

Improvement of streets, one thousand dollars ($1 000 0

Moral and religious instruction, two hundred and fi dollars ($250.00).

Repairs and improvements, six thousand three hundr and seventy dollars ($6,370 00).

Rewards to discharged convicts, nine thousand doll ($9,000.00).

Sewerage and water-works, thirty-two hundred doll ($3.200 00).

Carpets and furniture, two hundred dollars ($200 00).

Fire protection, three hundred dollars ($300.00).

Prosecution and transportation of convicts, one hundr and five thousand dollars ($105,000.00).

New boilers and fittings, eleven hundred and fifty doll ($1,150 00).

Secretary of State:

Extra clerk hire, twenty-seven hundred dollars ($2.700.0

Contingent expenses, eighteen hundred dollars ($1,800.0

Stationery, six thousand dollars ($6,000.00)

General appropriations.

Furniture and repairs, one hundred dollars ($100.00).
Distribution of books, twenty-four hundred dollars ($2,400.00).
Office safe, three hundred and eighty dollars ($380.00).

State Library:

Books, magazines and newspapers, fifteen hundred dollars ($1,500.00).
Contingent expenses, one thousand dollars ($1 000.00)
Repairs, furniture, carpets, book-cases, etc., one thousand dollars ($1,000.00).

Superintendent of Insurance:

Salary of extra clerks, eleven hundred dollars ($1.100.00).
Salary of actuary, two hundred and fifty dollars ($250 00).
Contingent expenses, thirteen hundred dollars ($1,300.00).

Bureau of Building and Loan Associations:

The income of said department is appropriated for the uses and expenses of said department, as provided in section 22 of the act passed May 1, 1891 (88 O. L., page 475), until February 15, 1893.

Supervisor of Public Printing:

State printing, twenty-two thousand dollars ($22 000 00).
State binding, twenty-four thousand dollars ($24 000.00).
Binding machinery, twelve hundred dollars ($1,200.00).
Contingent expenses, one hundred and fifty dollars ($150 00).

Supreme Court:

Painting, cleaning and repairs, two hundred dollars ($200.00).

Clerk of Supreme Court:

Contingent expenses, three hundred dollars ($300.00).
Extra clerk, six hundred dollars ($600.00)

Supreme Court Reporter:

Contingent expenses, three hundred dollars ($300.00).
Furniture for office, fifty dollars ($50.00).

Treasurer of State:

Contingent expenses, three hundred and fifty dollars ($350 00).
Collecting auditor of state's drafts, fifteen hundred dollars ($1.500 00).
Rent of telephone, fifty dollars ($50 00)
Rent of alarm telegraph, twenty-seven dollars and ninety-nine cents ($27.99).
For changing office and repairing safes, six hundred dollars, and any moneys received from the sale of old material or office fixtures ($600 00).

Miami University:

General appropriations.

For the uses and purposes of Miami university, t
thousand two hundred dollars ($15 200.00).

Ohio University:

For uses and purposes of Ohio university, twelve
sand three hundred dollars ($12,300.00).

Ohio State University:

The appropriation of six hundred and seventy-fiv
lars made in 1891 for "weights and measures, etc.," is ch
to read as follows: "Cost of cases for preservation of w
and measures and for expense of removal and repair of s

Wilberforce University:

For completing, equipping, aiding and maintainin
normal and industrial building and department, si
thousand dollars ($16,000.00).

Athens Asylum for Insane:

Current expenses, eighty-four thousand dollars ($84 (
Salaries of officers, thirty-six hundred dollars ($3,6
Ordinary repairs, forty-eight hundred dollars ($4 8
Trustees' expenses and salary of secretary, three hu
and thirty-five dollars ($335.00)
Painting, twelve hundred dollars ($1,200.00).
Carpets, furniture and bedding, fifteen hundred d
($1,500.00).
Books, pictures and surgical instruments, one hu
and fifty dollars ($150.00).
New veranda and fire escapes, eight thousand d
($8,000 00).

Cleveland Asylum for Insane:

Current expenses, eighty-five thousand dollars, pro
that twenty-five hundred dollars of the amount so app
ated may be used to build a switch to boiler-house ($85 0
Salaries of officers, thirty-nine hundred dollars ($3 9
Ordinary repairs, four thousand dollars ($4,000 00).
Trustees' expenses and salary of secretary, six hu
dollars ($600.00).
Books, pictures and surgical instruments, three hu
dollars ($300 00).
Carpets, furniture and bedding, twelve hundred d
($1,200 00).
Painting, one thousand dollars ($1.000.00).
Fire protection, sixteen hundred dollars ($1,600.00)
Ventilator for kitchen, two hundred and fifty d
($250.00).
For detached building, thirty thousand dollars ($30.0
The appropriation of $35,000 heretofore made "fo
struction of new wing" is changed to read "for det
buildings."

Columbus Asylum for Insane:

General appropriations.

Current expenses, one hundred and thirty thousand dollars ($130,000.00).

Salaries of officers, forty-three hundred dollars ($4,300 00).

Ordinary and general repairs, eight thousand dollars ($8,000.00).

Trustees' expenses and salary of secretary, six hundred dollars ($600.00).

Grading, five hundred dollars ($500.00).

Furniture, beds, carpets and curtains, twenty-five hundred dollars ($2,500 00).

Painting, fifteen hundred dollars ($1,500 00).

Books and pictures, two hundred dollars ($200.00).

Kitchen and laundry apparatus, six hundred dollars ($600 00).

Repair of boilers, eight hundred dollars ($800.00).

New hose for fire protection, five hundred dollars ($500.00).

Repair of vegetable and propagating house, four hundred dollars ($400.00).

Pumps at avenue, one thousand dollars ($1,000.00).

New corridor, twenty-four hundred dollars ($2,400.00).

Dayton Asylum for Insane:

Current expenses, eighty-two thousand five hundred dollars ($82,500.00).

Salaries of officers, thirty-eight hundred dollars ($3,800.00).

Ordinary repairs, twenty-five hundred dollars ($2,500.00).

Trustees' expenses and salary of secretary, two hundred and sixty-six dollars ($266.00).

Carpets, bedding and furniture, one thousand dollars ($1,000.00).

Books and pictures, one hundred dollars ($100.00).

Painting, eight hundred dollars ($800.00).

Furniture for new buildings, five thousand dollars ($5,000.00).

Machinery for laundry, thirteen hundred dollars ($1,300.00).

New boiler and setting, fifteen hundred dollars ($1,500 00).

New pipe machine, four hundred and five dollars ($405.00).

Longview Asylum for Insane:

Current expenses, one hundred and nine thousand dollars ($109,000 00).

This sum is for the support of the insane in said institution, and shall be paid into the county treasury of Hamilton county, monthly, as may be necessary in payment of the current expenses of said institution. Requisitions shall be made by the directors of said asylum upon the auditor of Hamilton county, and copies thereof furnished to the auditor of state, whereupon he shall issue his warrant upon the state treasurer in favor of the treasurer of Hamilton county for such amounts, and said appropriation shall discharge the state from all legal and equitable obligations to said institution for the year commencing February 15, 1892, and ending February 15, 1893.

Toledo Asylum for Insane:

General appropriations.

Current expenses, one hundred and five thousand dolla ($105,000 00)

Salaries of officers, forty-three hundred dollars ($4,300 00

Ordinary repairs, six thousand dollars ($6 000 00).

Trustees' expenses and salary of secretary, six hundre dollars ($600.00).

Furniture, carpets and bedding, one thousand dolla ($1,000 00).

Books, pictures and surgical instruments, two hundre dollars ($200.00).

Trees, grading and shrubbery, four hundred dolla ($400 00).

Roads and walks, five hundred dollars ($500.00).

Painting, fifteen hundred dollars ($1,500 00).

Additional wells, pumps, tanks and connections, tw thousand dollars ($2,000 00).

Boys' Industrial School:

Current expenses, thirty-one thousand dollars ($31,000.00

Salaries of officers and teachers, nineteen thousand eigh hundred dollars ($19,800.00).

Trustees' expenses, three hundred dollars ($300.00).

Ordinary repairs, twenty-five hundred dollars ($2,500.00

Laundry, two hundred dollars ($200.00).

Furniture, carpets and bedding, five hundred dolla ($500.00).

Grading roads, five hundred dollars ($500.00)

Rewards, five hundred dollars ($500.00).

Enlarging green-house, six hundred dollars ($600.00).

Library, two hundred dollars ($200.00).

Machinery, tools and materials, one thousand dolla ($1,000.00).

Completing ice house, two hundred dollars ($200.00).

Girls' Industrial Home:

Current expenses, twelve thousand dollars ($12 000 00).

Salaries of officers and teachers, twelve thousand fou hundred dollars ($12,400.00).

Trustees' expenses, two hundred and seven dolla ($207.00).

Telephone, one hundred and fifty dollars ($150.00).

Ordinary repairs, three hundred dollars ($300 00)

Furniture and carpets, eight hundred dollars ($800 00).

Library, two hundred dollars ($200.00).

Grading and improving grounds, two hundred dolla ($200.00).

Fruit trees, berries and plants, one hundred dolla ($100.00).

Religious services, two hundred and fifty dollars ($250.00

Institution for the Blind:

General appropriations.

Current expenses, thirty-one thousand dollars ($31,000.00).

Salaries of officers and teachers, ten thousand and fifty dollars ($10,050.00).

Ordinary and general repairs and improvements, three thousand dollars ($3,000.00).

Books and school apparatus, eight hundred dollars ($800.00).

Carpets, bedding and furniture, one thousand dollars ($1,000 00).

Trustees' expenses, three hundred and twenty dollars ($320.00).

Care of ground and improvement of walks, six hundred dollars ($600.00).

For new boilers, seventeen hundred dollars ($1,700.00).

Wiring building and electric light, fifteen hundred dollars ($1,500 00).

Institution for Deaf and Dumb:

Current expenses, forty-nine thousand dollars ($49.000 00).

Ordinary repairs, three thousand dollars ($3,000.00).

Trustees' expenses and salary of secretary, two hundred dollars ($200.00).

Salaries of officers and teachers, sixteen thousand eight hundred dollars ($16,800.00).

Salary of foreman carpenter shop, two hundred dollars ($200 00).

Salary of foreman printing office, two hundred dollars ($200.00).

Lumber and nails for boxes, eight hundred dollars ($800.00).

Carpets and furniture, five hundred dollars ($500.00).

Supplies for carpenter, shoe and tailor shops and printing office, two thousand dollars ($2,000 00).

Institution for Feeble-Minded Youth:

Current expenses, eighty-three thousand dollars ($83 000.00).

Salaries of officers and teachers, ten thousand dollars ($10 000.00).

Repairs and improvements, sixty-five hundred dollars ($6,500.00).

Trustees' expenses, three hundred dollars ($300.00).

Laundry and drying-house, four thousand dollars ($4,000.00).

Ohio Soldiers' and Sailors' Home:

Current expenses, ten thousand dollars ($10,000 00).

Trustees' expenses, three hundred dollars ($300 00).

Clothing, nineteen thousand dollars ($19,000.00).

Ordinary repairs and improvements, five hundred dollars ($500 00).

Furniture, carpets and bedding, three thousand dollars ($3,000.00).

General appropriations.

Transferring remains of dead soldiers from old to n cemetery, two hundred and fifty dollars ($250.00).

For constructing new store-house, three thousand doll ($3,000.00).

Ohio Soldiers' and Sailors' Orphans' Home:

Current expenses, ninety-four thousand dollars ($9 000.00).

Salaries of officers, matrons and teachers, nineteen th sand dollars ($19,000.00).

Industrial pursuits, including cooking, sewing and p chase of appliances and machinery, seven thousand doll ($7,000.00).

Ordinary repairs and improvements, seven thousa dollars ($7,000.00).

Trustees' expenses and the expenses of lady visitors, f hundred dollars ($500 00).

Net earnings, twelve hundred dollars ($1,200.00).

Library, six hundred dollars ($600.00).

Services in chapel, three hundred dollars ($300.00).

Support of orphans and children of indigent soldi outside, ten thousand dollars ($10,000.00).

Furniture, carpets and bedding, twenty-five hundr dollars ($2,500.00).

Visiting county homes, one hundred dollars ($100.00).

Salaries of foremen and instructors, five thousand a five hundred dollars ($5,500 00).

Grading, graveling and planting trees, seven hundr dollars ($700.00).

Enlarging and improving bakery, five hundred doll ($500.00).

Enlarging green-house, two thousand dollars ($2,000.0

Cottages for hospital, twenty-five hundred doll ($2,500.00).

Entertainment and amusements, two hundred doll ($200.00).

Laundry fixtures, five hundred dollars ($500 00).

Ohio Working Home for the Blind:

Salary of superintendent and secretary, one thousa dollars ($1,000.00).

Salary and expenses of acting salesman, one thousa dollars ($1,000 00).

Salary of foreman, four hundred dollars ($400.00).

Engineer, teamster, cook, laundry help and dining-roo help, sixteen hundred and fifty dollars ($1,650 00).

Trustees' expenses, two hundred dollars ($200.00).

Ordinary repairs and painting, five hundred doll ($500.00).

Miscellaneous:

Pension J. P. Brush family, one hundred and twenty dollars ($120.00). General appropriations.

For extra clerk hire for executive commissioner of Ohio at the world's fair at Chicago, to be paid on the order of said commissioner, two thousand dollars ($2,000 00).

To pay expenses of the commission to locate and prepare plans and specifications for the asylum for insane provided for by H. B. No. 2, fifteen hundred dollars ($1,500 00).

Prosecuting War Claims of Ohio Against United States:

Salary of agent, fifteen hundred dollars ($1,500.00).
Expenses of agent, six hundred dollars ($600.00).

Ohio Archæological and Historical Society:

For said society, including care of Fort Ancient, two thousand dollars ($2,000.00).

State Geologist:

Salary of geologist, assistants and expenses as provided by act passed April 12, 1889 (O. L., vol. 86, p. 262), one thousand dollars ($1,000.00).

SECTION 2. The moneys appropriated in the preceding section shall not be in any way expended to pay liabilities or deficiencies existing prior to February 15, 1892, nor shall they be used or paid out for purposes other than those for which said sums are specifically appropriated as aforesaid.

SECTION 3. In addition to the several appropriations made for the institutions for the insane, blind, deaf and dumb, and feeble-minded youth, the girls' industrial home, the boys' industrial school, and soldiers' and sailors' orphans' home, and soldiers' and sailors' home, there is hereby appropriated for the use of said institutions any moneys received from sources other than the state treasury by their respective financial officers, which moneys shall be credited to the current expense funds of said institutions respectively, unless otherwise provided by law.

SECTION 4. No bills for clerk hire, for furniture or carpets, or for newspapers shall be paid out of appropriations made for contingent expenses, no bills for carpets or furniture, or any expense for officers attending state, inter-state or national associations of benevolent institutions, shall be paid out of appropriations made for the current expenses of said institution; and no money herein appropriated shall be drawn except on a requisition on the auditor of state, approved by the head of each department or the trustees of the institution, which shall set forth the service rendered or material furnished, and the date of purchase and the time of service, and it shall be the duty of the auditor of state to see that these provisions are complied with.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed April 16, 1892.
278G

[House Bill No. 345.]

AN ACT

To regulate the employment of the inmates of the penitentiaries, reformatories and work-houses in the state of Ohio.

Regulating employment of prisoners and inmates of penitentiaries, reformatories and work-houses.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the total number of prisoners and inmates employed at one time in the penitentiaries, work-houses and reformatories of this state in the manufacture of any one kind of goods which are manufactured in this state outside of said penitentiaries, work-houses and reformatories shall not exceed five per centum of the number of all persons in this state, outside of said penitentiaries, work-houses and reformatories, employed in manufacturing the same kind of goods, as shown by the last federal census or state enumeration, except in industries in which not more than fifty free laborers are employed.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 16, 1892.
279G

[House Bill No. 434.]

AN ACT

To supplement section 3443 of the Revised Statutes of Ohio.

Street railways:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 3443 of the Revised Statutes be and the same is hereby supplemented with sectional numbering as follows:

Watchmen at street crossings, intersections and corners.

Sec. 3443*a*. Whenever any street railways are operated by electricity, cable, compressed air, or any motive power other than horses or mules, in any municipality, the board of legislation or council of such municipalities shall have the power by ordinance to require the owners or operators of any such street railways to place watchmen at any street crossings

intersections or corners which such board of legislation or council may deem dangerous; and to provide for the proper enforcement of such ordinances by penalties in the way of fine or imprisonment, or both, which may be imposed upon the owner, officer, or operator of such street railways or by a penalty of not exceeding $100 per day, which may be recovered by such municipalities in a civil suit against the owners or operators of any such street railway failing to place such watchman as may be required. Penalties.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 16, 1892.
280G

[House Bill No. 481.]

AN ACT

To supplement section 640 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 640 of the Revised Statutes be supplemented by the addition of a section with sectional numbering as follows: Asylums for the insane:

Sec. 640*a*. In all asylums for the insane there shall be employed at least one female physician. Female physicians.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 16, 1892.
281G

[House Bill No. 494.]

AN ACT

To provide steps at railroad stations, and inflict a penalty for neglecting so to do.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That it shall be the duty of all railroad companies, and of all persons operating a railroad in this state, on and after October 1st, after the passage of this act, to so regulate the rise from the station floor or platform to the top of the lowest step on passenger cars that it shall not be necessary to rise more than twelve inches in one step. Where the rise in Regulating distance from station platform to top of lowest step on passenger cars.

or impaired by placing or continuing therein, without lawful authority, any obstruction, or by the changing of the line, filling up or digging out of the bed thereof, or in any manner rendering the same less convenient or useful than it had been previously, by any person or corporation, such person or corporation shall be subject to an action for damages; and the board of commissioners of the proper county is authorized to sue for and recover of such person or corporation so causing or having caused such injury or impairment, such damages as have accrued by reason thereof, or such as are necessary to remove the obstruction or repair the injury; but in case the county commissioners shall neglect, fail or refuse to bring such action for ten days after being petitioned so to do by at least ten owners of property adjoining such county road or living within one mile of such bridge or public building, then any one or more of such owners of property shall have the right and are hereby authorized to bring suit in the name of the prosecuting attorney of the county in which such property is situated, and recover of such person or corporation so causing or having caused such injury or impairment, such damages as have accrued by reason thereof, or such as are necessary to remove the obstruction or repair the injury; and the money so recovered shall, when so collected by the proper officer, be paid into the treasury of the proper county and shall be appropriated by the commissioners thereof in repairing such bridge, building or road, or removing such obstruction, as the case may be, or to reimburse the county for expenditures in that behalf; the court may, in case of a recovery, make such order as is deemed necessary to repair the injury or remove the obstruction complained of; and the statute of limitations shall not run in favor of any person or corporation committing any acts, injuries or obstructions concerning any such road or public highway.

Repeals, etc.

SECTION 2. Said original section number 863 is hereby repealed, and this act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 16, 1892.
285G

[House Bill No. 628.]

AN ACT

To amend section 4219 and repeal sections 4220 and 4221 of the Revised Statutes of Ohio.

Fish:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 4219 of the Revised Statutes of the state of Ohio be amended to read as follows:

Sec. 4219. There shall be erected and maintained by the county commissioners of any county in this state where there is a dam across any river or creek, upon the petition of not less than five freeholders of said county, a sufficient passageway or chute for the passage of fish over such dam, which chute shall be kept open and free for the passage of fish, said commissioners to let the work of erecting such passageway or chute, and providing the materials therefor, to the lowest responsible bidder, and when built and accepted by the commissioners all expense attendant upon the erection or maintenance of the same shall be paid by the said commissioners out of the funds of said county not otherwise appropriated; provided, however, when any dams are owned by the state across said streams, said chutes or passageways shall be built by the board of public works. Chutes for passage of fish over dams.

SECTION 2. That said original sections 4219, 4220 and 4221 are hereby repealed. Repeals.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 16, 1892.
286G

[House Bill No. 682.]

AN ACT

To amend section 2 of an act supplementary to "An act authorizing county commissioners and city councils to aid and encourage industrial schools and children's homes, for the benefit of neglected and destitute children," passed and took effect April 22d, 1890.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section two of an act supplementary to "An act authorizing county commissioners and city councils to aid and encourage industrial schools and children's homes for the benefit of neglected and destitute children," passed and took effect April 22, 1890, be so amended as to read as follows: Children's home:

Sec. 2. When such commissioners have contributed the whole amount of said purchase money, and find the buildings are not sufficient to enable such incorporated children's home to accommodate all the neglected and destitute children of such county, they are hereby authorized to contribute, subject to the conditions provided in section one of this act, such amount as they deem sufficient to construct the necessary additions to such buildings and to make the necessary improvements of such property, and they are hereby authorized to contribute an amount not exceeding three hundred dollars in any one year for the purpose of keeping such property in repair. Contributions for additions to buildings, improvements and repairs.

Repeals.

SECTION 2. Said original section 2 is hereby repea

SECTION 3. This act shall take effect and be in f from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representat

ANDREW L. HARRIS,
President of the Se

Passed April 16, 1892.
287G

[House Bill No. 727.]

AN ACT

Making appropriation for furnishing, heating, lighting and equip cottage at national women's relief corps home.

Appropriation for heating, lighting and equipping Ohio cottage at national women's relief corps home.

SECTION 1. *Be it enacted by the General Assembly of the S of Ohio,* That there be and hereby is appropriated out of moneys in the state treasury to the credit of the general enue fund not otherwise appropriated the sum of five th sand dollars ($5,000.00) for the purpose of heating, ligh and equipping the cottage erected on the grounds of national women's relief corps home at Madison, Lake cou Ohio, erected according to the provisions of an act pa March 17th, 1891 (88 O. L. page 140). The said sum of mo shall be drawn from the treasury according to the provisi of said act of March 17th, 1891, and this shall be in lie all liabilities or supposed liabilities of the state of Ohi said board of construction of said home, and no deficie shall hereafter be allowed in favor of said home by any thority of the state having the right to authorize deficien in certain contingencies.

SECTION 2. This act shall take effect and be in f from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representati

ANDREW L. HARRIS,
President of the Se

Passed April 16, 1892.
288G

[House Bill No. 731.]

AN ACT

To amend and to supplement section 2264 of the Revised Statutes of O as amended March 31st, 1891 (88 O. L., 250).

Assessments:

SECTION 1. *Be it enacted by the General Assembly of the S of Ohio,* That section 2264 of the Revised Statutes as amen March 31st, 1891, be so amended and supplemented as to r as follows:

Sec. 2264. In the cases provided for in the last section, and in all cases where an improvement of any kind is made, except in cities of the second grade of the first class, of an existing street, alley or other public highway, the council may decline to assess the costs and expenses in the last section mentioned or any part thereof, or the costs and expenses or any part thereof of such improvement, except as hereinafter mentioned, on the general tax list, in which event such costs and expenses or any part thereof which may not be so assessed on the general tax list, shall be assessed by the council on the abutting and such adjacent and contiguous or other benefited lots and lands in the corporation, either in proportion to the benefit which may result from the improvement, or according to the value of the property assessed or by the foot front of the property bounding and abutting upon the improvement, as the council by ordinance setting forth specifically the lots and lands to be assessed may determine before the improvement is made, and in the manner and subject to the restriction herein contained; and the assessments shall be payable in one or more installments, and at such times as the council may prescribe; but this section shall be subject to the provisions of chapter two of this division, and in cities of the first and third grades of the first class, at the time when the council determines that the cost of such improvement is to be assessed as above provided, it shall also determine in how many installments said assessments shall be payable; at what intervals, if payable in more than one installment; also whether or not bonds shall be issued in anticipation of such assessment; and when bonds are issued in anticipation of the collection of such assessment, the interest accrued and to accrue on said bonds shall be considered and treated as part of the costs and expenses of such improvement for which assessments may be made. In cities of the third grade of the first class, such assessments, when made, shall become due and payable at the time and in the manner provided by the council, and if said assessments or any installment thereof shall not be paid at the time the same becomes due, a penalty of fifteen (15) per centum shall thereupon attach to such unpaid assessment or installment, and thereafter such unpaid assessment or installment shall bear interest until the payment thereof at the same rate as the bonds issued in anticipation of the collection of such assessment; and the county auditor shall, annually, place upon the tax duplicate the penalty and interest herein provided for. When the council of said cities of the third grade of the first class shall determine to issue bonds in anticipation of the collection of assessments provided for in this section or required by section twenty-two hundred and seventy-four (2274), the provisions of section two thousand seven hundred and two (2702) shall not apply; nor shall said section 2702 apply when a part, not in excess of one-third of the cost and expenses of any such improvement or appropriation is to be paid by any such city by levy or assessment upon the general tax list, issue of bonds, or otherwise, as may be provided by law; and any such city of the third grade of the first class is hereby authorized to

Assessments which may be made special; exception as to Cleveland.

Installments.

Cincinnati and Toledo.

Toledo.

issue and sell its general street improvement bonds at a r
for interest not in excess of five (5) per cent. per annum, p
able semi-annually, to pay for the city's part or share
aforesaid, of the cost and expense of any such improveme
and appropriation, and may levy taxes, in addition to the t
now by law authorized to be levied therein or make asse
ments as provided in the preceding section to pay such bon

Cities second class, third grade, and Springfield.

and interest thereon. When the council of cities of the s
ond class and third grade and cities of the second cl
and third grade *a*, determine to issue bonds in anticipati
of the collection of assessments to pay the costs and e
penses of appropriating lots and lands for the purpose
laying off, opening, extending or widening a street, alley
other public highway, the provisions of section twenty-sev
hundred and two (2702), shall not apply.

Assessments which may be made special in Cleveland.

Sec. 2264*a*. In the cases provided for in section 22
and in all cases where an improvement of any [kind] is ma
within cities of the second grade of the first class, of an exi
ing street, alley, or other public highway, the council of su
cities may decline to assess the costs and expenses mention
in section 2263, or any part thereof, or the costs or expens
or any part thereof of such improvement, except as hereinaf
mentioned, on the general tax list, in which event such co
and expenses, or any part thereof, which may not be
assessed on the general tax list, shall be assessed by the cou
cil of such cities on the abutting and such adjacent and co
tiguous or other benefited lots and lands in the corporatio
either in proportion to the benefit which may result from t
improvement, or according to the value of the proper
assessed, or by the foot front of the property bounding or ab
ting upon the improvement as the council, by ordinance, de
nating the territory to be assessed, may determine, before t
improvement is made, and in the manner and subject to t

Installments.

restrictions herein contained; and the assessments shall
payable in one or more installments, and at such times as t
council may prescribe; but this section shall be subject to t
provisions of chapter two, of this division.

Repeals, etc.

SECTION 2. That said original section 2264, as amend
March 31st, 1891, be repealed, and this act shall be in fo
from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representativ
ANDREW L. HARRIS,
President of the Sena

Passed April 16, 1892.
289G

[House Bill No. 794.]

AN ACT

To provide for the furnishing of the Ohio cottage, located on the woman's national relief corps grounds, at Madison, Lake county, Ohio.

Appropriation for furnishing Ohio cottage at national women's relief corps home.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and hereby is appropriated out of any moneys in the state treasury to the credit of the general revenue fund, not otherwise appropriated, the sum of five thousand dollars ($5,000.00), for the purpose of furnishing the Ohio cottage that is built and located upon the woman's national relief corps grounds, at Madison, Lake county, Ohio, as provided for by an act passed March 17, 1891. [V. 88, p. 140, O. L.] And the appropriation herein made shall be in full of all demands upon the state of Ohio in aid or support of said institution, and no further appropriation for the same shall be made by the general assembly.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 16, 1892.
290G

[House Bill No. 817.]

AN ACT

To provide for the appropriation of $3,046.00 for the payment in full of certain claims against the state of Ohio, for damages on account of the damage to and destruction and confiscation of certain fish-nets by L. K. Buntain, fish warden.

Preamble.

WHEREAS, L. K. Buntain, fish warden, in pursuance of an act entitled "An act to regulate by taxation the use of fishing-nets in Lake Erie and the reservoirs of the state," passed April 15th, 1889 (O. L. vol. 86, page 352), did damage, destroy and confiscate certain fish-nets belonging to the firms and persons hereinafter named; and

WHEREAS, The general assembly of the state of Ohio did, on the first day of May, 1891, enact a law entitled "An act to permit the owners of certain fish-nets, seized and confiscated for the non-payment of certain taxes, imposed by an act, passed April 15, 1889, entitled 'an act to regulate by taxation the use of fishing-nets in Lake Erie and the reservoirs of the state,' to sue the state" (O. L. vol. 88, page 503); and

WHEREAS, In pursuance of said last mentioned act certain actions at law were instituted in the common pleas court of Ottawa county, Ohio, against the state of Ohio, for damages sustained on account of the damage to and destruction and confiscation by said fish warden of certain fish-nets

in Lake Erie owned by the following firms and pers
plaintiffs in said actions, to-wit: James H. Floro and Le
F. Eakley, partners as Floro & Eakley; Peter Jeremy
Edward Jeremy, partners as Peter Jeremy & Brother; Ge
R. Winnie; Timothy Perry; James Crosby and Jonas Mee
partners as Crosby & Company; Benjamin Jeremy; Wint
Hazen and Winchester Hazen, partners as Hazen Broth
Killian Winnie and Albert Winnie, partners as K. C. Win
& A. T. Winnie; Andrew Courchaine and William Bert
partners as Courchaine, Bertsch & Company; William Ar
and Charles Applegate, partners as Arndt & Appleg
and

WHEREAS, Certain fish-nets were damaged, destro
and confiscated by said fish warden in said Lake Erie belo
ing to W. E. Shepherd and E. R. Shepherd, partners as Sh
herd Brothers; therefore,

Appropriation for payment of damages caused by seizure of fish-nets.

SECTION 1. *Be it enacted by the General Assembly of the S*
of Ohio, That there be and is hereby appropriated out of
moneys in the state treasury to the credit of the general
enue fund not otherwise appropriated, the sum of $3,04
for the purpose of paying to the following respective plain
in said actions, through their attorneys, Linn W. Hull
S. P. Alexander, the following respective sums of money
full of all demands and claims they may have against
state of Ohio, and in full settlement of their said actio
James H. Floro and Lewis F. Eakley, partners as Flor
Eakley, $225.00; William Arndt and Charles Applegate, p
ners as Arndt & Applegate, $236.00; Peter Jeremy and Edw
Jeremy, partners as Peter Jeremy & Brother, $360.00; Ge
R. Winnie, $480.00; Timothy Perry, $249.00; James Cro
and Jonas Meeker, partners as Crosby & Company, $72.
Benjamin Jeremy, $210.00; Winfield Hazen and Winche
Hazen, partners as Hazen Brothers, $240.00; Killian Win
and Albert Winnie, partners as K. C. Winnie and A. T. W
nie, $480.00; Andrew W. Courchaine and William Berts
partners as Courchaine, Bertsch & Company, $144.00; and to
E. Shepherd and E. R. Shepherd, partners as Shepherd Broth
through their attorney, Linn W. Hull, the sum of $350
the same being in full to date of all claims and damages
said firm may have against the state of Ohio, on accoun
the damage, destruction and confiscation of their said fish-n
by said fish warden; and the auditor of state is hereby auth
ized to issue warrants respectively to the attorneys of
parties for said respective sums herein appropriated for th

SECTION 2. This act shall take effect and be in fo
from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representati
ANDREW L. HARRIS,
President of the Sen

Passed April 16, 1892.
291G

[House Bill No. 877.]

AN ACT

To amend section 907*a* of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 907*a* of the Revised Statutes of Ohio, passed April 12, 1884, be so amended as to read as follows: Lost or destroyed records:

Sec. 907*a*. That in all cases where real estate has been sold by a sheriff, executor, administrator, guardian, assignee, receiver, trustee, master commissioner, special master commissioner, or other person appointed or authorized by the court, and the record of the action in which such sale has been made, or the papers or account filed by an executor, or his successor, of a will authorizing a sale of real estate, is lost or destroyed by fire, riot, or civil commotion, the deed of such property made by said sheriff, executor, administrator, guardian, assignee, receiver, trustee, master commissioner, special master commissioner, or other person appointed or authorized by the court, shall be prima facie evidence of the legality and regularity of such sale, and of the correctness of the proceedings in the action or proceeding wherein said property has been sold; but the deeds made by the auditor of any county of lands sold at delinquent or forfeited tax sales shall not be prima facie evidence of title in the purchaser of such lands, and no presumption shall be indulged in favor of such tax deeds or sales when the records of the sale and the proceedings upon which the sale was based have been lost or destroyed by fire, riot, or civil commotion. Deed as prima facie evidence of record of sale by order of court. County auditors deed.

SECTION 2. Said section 907*a*, passed April 12, 1884, is hereby repealed, and this act shall take effect and be in force from and after its passage. Repeals, etc.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.

ANDREW L. HARRIS,
President of the Senate.

Passed April 16, 1892.
292G

[House Bill No. 881.]

AN ACT

To amend section 4889 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 4889 be amended to read as follows: Repair of improved roads:

Sec. 4889. Each township in the counties of Belmont, Brown, Butler, Carroll, Champaign, Clinton, Columbiana, Cuyahoga, Darke, Delaware, Erie, Fayette, Franklin, Geauga, Greene, Hamilton, Harrison, Henry, Highland, Licking, Lucas, Madison, Montgomery, Muskingum, Ottawa, Preble, Ross, Shelby, Stark, Summit, Trumbull, Tuscarawas, Vinton, Wash- Townships in certain counties made road districts.

ington, Warren and Wayne in which any such free road located, shall be a road district for the care and maintenan thereof.

Repeals, etc.

SECTION 2. That section 4889 of the Revised Statutes and the same is hereby repealed, and this act shall take effe on and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representativ

ANDREW L. HARRIS,
President of the Sena

Passed April 16, 1892.
293G

[House Bill No. 925.]

AN ACT

To amend section one of an act passed March 14, 1889, entitled "An a for the better protection of life and property by requiring coun commissioners to erect guard-rails," as amended April 7th, 1892.

Guard-rails:

SECTION 1. *Be it enacted by the General Assembly of the Sta of Ohio*, That section one of the above entitled act be amend so as to read as follows:

Guard-rails for county bridge, viaduct or culvert, approaches thereto, and wash-banks.

Sec. 1. That it shall be the duty of every board of coun commissioners in this state to, within two years after th passage of this act, erect or cause to be erected and maintain where the same has not already been done, one or more guar rails on each end of every county bridge, viaduct or culver the same being more than five feet high; and also erect cause to be erected, where the same has not already been don one or more guard-rails on each side of every approach each and every county bridge, viaduct or culvert wherev said approach or embankment is more than six feet high; an also within five years after the passage of this act, to protec by suitable guard-rails, all perpendicular wash banks mo than eight feet in height, where the same shall have any in mediate connection with a public highway, or is adjace thereto, in an unprotected condition; provided, that in suc cities and villages as by law have the right to demand and [do] receive part of the bridge fund levied within the same, suc guard-rails shall be erected by such municipality; and pr vided, further, that it shall be a sufficient compliance wi the provisions of this act, if said commissioners shall cause be erected and maintained, a good stock-proof hedge fen where a guard-rail is required by this act; such guard-rails hedge fence shall be erected in a substantial manner, havi sufficient strength to serve a protection to life and propert the expense of same to be paid out of the county bridge fu of each county.

Hedge fences.

Repeals.

SECTION 2. That section one of the above entitled act hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 16, 1892.
294G

[House Bill No. 933.]

AN ACT

Amendatory of and supplementary to an act entitled "An act to provide for the election of an Ohio dairy and food commissioner, salary and expenses," as passed May 1, 1891 (O. L. vol. 88, pp. 496 and 497), and as amended March 29, 1892.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That sections 8035—272 and 275, as amended May 1, 1891 (O. L., vol. 88, pp. 496 and 497), and as amended March 29, 1892, be amended so as to read as follows: **Food and dairy commissioner:**

Sec. 8035—272. That there is hereby created the office of dairy and food commissioner of the state of Ohio. Said commissioner shall be elected at the general election held on the first Tuesday after the first Monday in November, A. D. 1891. He shall take his office on the first Tuesday after the first Monday in May after his election, and shall serve for two years and until his successor is elected and qualified. He shall be charged with the enforcement of all laws against fraud and adulteration or impurities in foods, drinks or drugs in the state of Ohio. His salary shall be fifteen hundred (1,500) dollars per year, and his necessary and reasonable expenses incurred in the discharge of his official duties, to be paid in monthly installments, at the end of each calendar month. **Ohio dairy and food commissioner; election.** **Term.** **Duties.** **Salary and expenses.**

Sec. 8035—275. Said commissioner may appoint not to exceed two assistant commissioners, whose salaries shall be one thousand dollars per year, and necessary traveling expenses incurred in the discharge of their official duties, to be paid in like manner with the commissioner, and on itemized vouchers approved by said commissioner. The said commissioner shall have power to employ such experts, chemists, agents, inspectors and counsel as may by him be deemed necessary for the proper enforcement of the laws; their compensation to be fixed by the commissioner. All charges, accounts and expenses authorized by this act shall be paid out of the state treasury upon vouchers certified by the commissioner, and upon warrant of the state auditor. The entire expenses of said commissioner shall not exceed in any one year the amount appropriated for such purposes. All vacancies in the office of dairy and food commissioner shall be filled by appointment of the governor, until the next general election, **Assistant commissioners.** **Experts, chemists, agents, inspectors and counsel.** **Payment of charges, accounts and expenses.** **Limitation of expenses.** **Vacancies in office of commissioner.**

Disposition of fines collected.

when the same shall be filled as in the original election. A fines assessed and collected under prosecutions begun caused to be begun by the commissioner shall be paid b the court to the commissioner, and by him paid into th state treasury, and be credited to a fund hereby appropr

Commissioner's office.

ated for the use of the commissioner. Said commissione shall be furnished a suitable office room in the capit building, to be furnished and set apart for his use by th adjutant-general, in which he shall keep all books, record registers and all other property belonging to the office, an

Stationery and supplies.

turn the same over to his successor in office. The offic the commissioner shall be entitled to stationery and oth supplies to be furnished by the secretary of state, in like ma

Annual report

ner as the same are furnished to other state officers. Th commissioner shall make annual reports to the governor co taining itemized statements of all receipts and disbursement and all persons employed by him, together with such stati tics and other matter as he may regard of value. Said r ports to be published as are the reports of other state office

Repeals.

SECTION 2 An act entitled "An act to provide for th election of an Ohio dairy and food commissioner, salary an expenses," passed May 1st, 1891, as amended March 29, 189 and all laws, or parts of laws not in accordance with th provisions of this act are hereby repealed.

SECTION 3. This act shall take effect and be in for from and after its passage.

LEWIS C. LAYLIN

Speaker of the House of Representativ

ANDREW L. HARRIS,

President of the Sena

Passed April 16, 1892.

295G

[House Bill No. 941.]

AN ACT

To authorize the council of any incorporated village in the state of Ohi which at the last federal census had, or which at any subseque federal census may have, a population of not less than 1,432 nor mo than 1,442, to erect or purchase an electric light plant, and iss bonds therefor.

Electric light plant (Germantown).

SECTION 1. *Be it enacted by the General Assemb'y of the St of Ohio,* That the council of any incorporated village in th state of Ohio, which at the last federal census had, or whi at any subsequent federal census may have, a population not less [than] 1,432 nor more than 1,442, be and it is hereb authorized and empowered to erect or purchase an electr light plant for the purpose of lighting the streets, square alleys, public grounds and buildings, and all public plac within the limits of such village, any, all, or either of them and furnishing the same to the citizens of such village, such prices as said council may deem proper.

SECTION 2. For the purpose of providing the funds with which to pay for said electric light plant, said council is hereby authorized and empowered to issue the bonds of such village, in such denominations and in such amounts as it may deem necessary to complete said improvement, not, however, in the aggregate to exceed the sum of ten thousand dollars, for the full completion of said electric light plant, and provided, further, that said bonds shall not bear a greater rate of interest than six per cent. per annum, payable semi-annually, and shall not be sold for less than their par value. Issue and sale of bonds.

SECTION 3. Said council is authorized to levy a tax on the taxable property of such village, in addition to that now authorized by law, sufficient to meet the interest on said bonds and pay the principal thereof as the same becomes due, the same to be levied and collected as taxes for general purposes. Additional tax levy.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.

ANDREW L. HARRIS,
President of the Senate.

Passed April 16, 1892.
296G

[Senate Bill No. 89.]

AN ACT

To amend section 8 of an act entitled "An act relating to the imprisonment of convicts in the Ohio penitentiary, and the employment, government and release of such convicts by the board of managers," passed March 24, 1884, as amended April 15, 1889.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 8 of an act entitled "An act relating to the imprisonment of convicts in the Ohio penitentiary and the employment, government and release of such convicts by the board of managers," passed March 24, 1884, as amended April 15, 1889, be so amended as to read as follows: Penitentiary:

Sec. 8. That said board of managers shall have power to establish rules and regulations under which any prisoner who is now or hereafter may be imprisoned under a sentence other than for murder in the first or second degree, who may have served a minimum term provided by law for the crime for which he was convicted (and who has not previously been convicted) of felony, and served a term in a penal institution, and any prisoner who is now or hereafter may be imprisoned under a sentence for murder in the first or second degree, and who has now or hereafter (shall have served under said sentence twenty-five full years), may be allowed to go upon parole outside of the buildings and inclosures, but to remain, while on parole, in the legal custody and under the Parole of prisoners.

control of the board and subject at any time to be taken ba within the inclosure of said institution; and full power en'orce such rules and regulations, and to retake and rei prison any convict so upon parole, is hereby conferred up said board, whose written order, certified by its secreta shall be a sufficient warrant for all officers named therein, authorize such officer to return to actual custody any co ditionally released or paroled prisoner; and it is hereby ma the duty of all officers to execute said order the same ordinary criminal process; but the concurrence of eve member of the board of managers shall be necessary for t parole of any prisoner as herein provided.

Repeals.

SECTION 2. That section 8 of the above recited act, amended April 15, 1889, be and is hereby repealed.

SECTION 3. This act shall take effect and be in for from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representativ

ANDREW L. HARRIS,
President of the Sena

Passed April 18, 1892.
297G

[Senate Bill No. 90.]

AN ACT

To amend section 1828 of the Revised Statutes.

Police power of mayor in villages:

SECTION 1. *Be it enacted by the General Assembly of the Sta of Ohio*, That section 1828 of the Revised Statutes of Ohio b so amended as to read as follows:

Trial of misdemeanor by jury.

Sec. 1828. In misdemeanors prosecuted in the name the state he may summon a jury and try the case notwit standing the accused has a right to a jury which he has n waived, if a request for such trial subscribed by the accus is filed in the case, before the commencement of the tria

Hamilton county villages.

provided, that in villages situated in counties containing city of the first grade of the first class such request by t accused shall not be necessary. And in such case the tri shall be had on the affidavit in the same manner and wit like effect as a trial is had on an indictment for such offen in the court of common pleas.

Repeals, etc.

SECTION 2. That said original section 1828 be and t same is hereby repealed; and this act shall take effect an be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representativ

ELBERT L. LAMPSON,
President pro tem. of the Sena

Passed April 18, 1892.
298G

[Senate Bill No. 95.]

AN ACT

To provide for the contest of elections of state and judicial officers.

Contest of election of common pleas and superior court judges.

Who may contest; mode of procedure.

Notice to contestee.

Time for answer and reply.

Testimony.

Taking and filing of testimony.

Witnesses.

Proceedings upon filing of contestor's petition.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the circuit court shall have exclusive original jurisdiction of the contest of elections of all common pleas and superior court judges, and the contest shall be had in the county in which the contestee resides. Any elector of the city, county or subdivision may contest the election of any judge of the court of common pleas, or the superior court, by taking an appeal from the finding and decision of the canvassing board which finds and declares the result of the election of such judges, to the circuit court of the county in which the contestee resides. Such appeal shall be taken and filed in the circuit court within ten days from the declaration of the result by the canvassing board, and such appeal shall be in the form of a petition addressed to the court, in which shall be set forth in brief and plain terms that such appeal is taken, by whom, and upon what grounds the election is contested. Notice of such appeal, together with a copy of the petition, shall be served upon the contestee in the same manner that summons in a civil action may be served, within five days from the time of filing such appeal. The contestee shall have fourteen days from the time service has been made upon him to file his answer, and the contestor shall have five days thereafter to reply. The contest shall be confined to the matters alleged in the pleadings.

SECTION 2. In such contest testimony may be taken by either contestor or contestee as in civil actions, at any time after service has been made upon the contestee. Any notary public is hereby authorized to take such testimony in any county in Ohio without reference to the county in which he resides, and if he takes such testimony in short-hand, the signatures of the witnesses shall not be necessary to depositions so taken; provided, that such depositions have been read over to the witness, and approved, and such fact is certified by the notary.

SECTION 3. The contestor shall take and file all his testimony, by deposition, within twenty days from the time that his reply to the answer should be filed, unless upon notice to the contestee further time be given by the circuit court or some judge thereof. The contestee shall take and file all his testimony, by deposition, within twenty days from the expiration of the contestor's time, unless upon notice to the contestor, further time is granted by the court or some judge thereof. Witnesses within the county may be compelled to attend and be examined orally in open court, and any witness not a resident of the county, voluntarily appearing, may in like manner be examined in open court. So soon as the contestor has filed his petition, the clerk shall notify the presiding judge thereof, and the judges shall, if necessary, provide for a special term in such county

to hear and determine such contest in a summary mann and, if practicable, before the term of the office in questi shall begin, and cause the clerk to notify the parties of a order of the court in that behalf.

Hearing and determination of contest; petitions in error.

SECTION 4. The court shall hear and determine the co test, without the intervention of a jury, and in the condu of a case exceptions may be taken by either party as in ci actions, and the supreme court is hereby empowered and quired in a summary manner to hear and determine any a all errors alleged by either party, to be presented by petiti in error as in civil actions. The circuit and supreme cou

Judgments and orders of courts.

shall have power to render such judgments and make su orders as the law and the facts may warrant, including jud ments of ouster and induction, and the judgment of t supreme court shall be decisive of the contest.

Bond for payment of costs.

SECTION 5. If the contesting elector be not a claima of the office, he shall, at the time of filing his appeal, also f a bond with surety, to be approved by the clerk, condition that he will pay any and all costs that may be finally a

Adjudication of costs.

judged against him therein. Upon the final hearing, t court shall adjudge the costs of the case as to it shall see just and equitable, and in such adjudication it may find wh part, if any thereof, should be paid out of the state treasu

Limitation of time for filing petitions in error.

SECTION 6. After the expiration of twenty days fro the rendition of the final judgment of the circuit cou neither party shall have the right to file petitions in error

Contest of election of circuit and supreme court judges and state officers.

the supreme court for review of the circuit court. T supreme court shall have exclusive jurisdiction of the cont of elections of all circuit court judges, supreme court judg and of all state officers. If the contestee is a member of t supreme court, he shall not sit in the determination of his co test, nor in the making of any order preliminary or incide thereto, nor shall he sit in the determination of the conte nor upon any question preliminary or incident thereto of t election of any candidate voted for at the same election which he was a candidate for the office of judge of t supreme court which is being contested, if his election also contested.

Who may contest; mode of procedure.

SECTION 7. Any elector having a right to vote for a candidate for judge of the circuit court or judge of t supreme court, or state officer, by taking an appeal fro the finding and decision of the canvassing board whi finds and declares the result of the election of such judg and state officers to the supreme court of the state, m contest the election of such judges and state officers. Su appeal shall be taken and filed in the supreme court with ten days from the declaration of the result of the election by t proper canvassing board, and such appeal shall be in the form a relation addressed to the court, in which shall be set for in brief and plain terms that such appeal is taken, by who and upon what grounds the election is contested.

Notice to contestee.

SECTION 8. Notice of such appeal, together with the co of the relation, shall be served upon the contestee in t same manner as a summons in a civil action, within fi

days from the time of filing such appeal. The contestee shall have in which to answer the relation, fourteen days from the time service has been made upon him, and the contestor shall have seven days thereafter in which to reply to the answer of the contestee. Time for answer and reply.

SECTION 9. The court, or any judge thereof, upon notice to the opposite party, may, for good reason, extend the time for either answer or reply. In such contest, testimony may be taken by either party as in civil actions, at any time after copy of relation has been served upon the contestee. Any notary public is authorized to take such testimony in any county in the state without reference to the county in which he resides, and if such testimony is taken in short hand, the signature of the witnesses shall be necessary to depositions so taken; provided, that such depositions have been read over to the witness and approved, and facts are certified by the notary. Extension of such time. Testimony.

SECTION 10. All testimony in contest of election in the supreme court shall be in the form of depositions, and the contestor shall take and file all his testimony within thirty days from the time his reply should be filed, unless upon notice to the contestee, further time is given by the court or a judge thereof. The contestee shall file all his testimony within thirty days from the expiration of the contestor's time, unless upon notice to contestor, further time is granted by the court or a judge thereof. Taking and filing of testimony.

SECTION 11. The court shall hear and determine such contest in a summary manner, and if practicable, before the term of office in question shall begin, and to that end make any and all proper orders as to time and manner of procedure. It shall have full power to render such judgments, and make such orders as the laws and the facts may warrant, including judgments of ouster and induction. Hearing and determination of contest. Judgments and orders of court.

SECTION 12. If the contesting elector be not the claimant of the office, he shall, at the time of filing his appeal, file a bond with surety, to be approved by the clerk, conditioned that he will pay any and all costs that may be adjudged against him therein. Upon final hearing the court shall adjudge the costs of the case, as it shall seem just and equitable, and in such adjudication it may find what part, if any thereof, should be paid out of the state treasury. Bond for payment of costs. Adjudication of costs.

SECTION 13. The following sections of the Revised Statutes are repealed, to-wit: Sections 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013 and 3014. Repeals.

SECTION 14. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.

ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed April 18, 1892.
299G

[Senate Bill No. 107.]

AN ACT

Supplementary to sections 5819 and 5820 of the Revised Statutes.

Replevin:

SECTION 1. *Be it enacted by the General Assembly of the St of Ohio*, That sections five thousand eight hundred and nin teen (5819) and five thousand eight hundred and twen (5820) of the Revised Statutes of Ohio be supplemented wi sectional numbering as follows:

Preservation of property: sale, in certain cases.

Sec. 5820*a*. In all actions where the undertaking undertakings shall have been given under section 5819, under sections 5819 and 5820, or under section 6616, wh the action is pending on appeal or certified to the court common pleas, the court, or a judge thereof in vacation, sh make proper orders for the preservation of the property a shall direct a sale of the property when, because of its pe ishable nature or of the cost of keeping it, a sale will be f the benefit of the parties; the sale shall be public after su advertisement as is prescribed for the sale of like property execution, and shall be made in such manner and upon su terms of credit with security as the court or judge having d

Proceeds of sale.

regard to the probable duration of the action may direct; a the sheriff shall hold and pay over all the proceeds of the sa collected by him, under the same requirements and respon bilities of himself and sureties as are provided in respect

Right of election.

money deposited in lieu of bail. The fund arising from su sale shall take the place of the property so sold, and upon su order for sale having been made the right of election pr vided for in said sections shall thereupon cease as to the pro

Cost of keeping property.

erty so sold. In all cases where such property shall ha been held by the sheriff or other officer of the court, cost keeping the same from the time it was taken until sold, sh be taxed as costs in the action.

SECTION 2. This act shall take effect and be in for from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representativ
ELBERT L. LAMPSON,
President pro tem. of the Sena

Passed April 18, 1892.
300G

[Senate Bill No. 108.]

AN ACT

To amend section 3806 of the Revised Statutes of Ohio.

Savings and loan associations:

SECTION 1. *Be it enacted by the General Assembly of the St of Ohio*, That section 3806 of the Revised Statutes be amended as to read as follows:

Investment of funds.

Sec. 3806. Such corporations may invest their funds the purchase of stocks, bonds or other evidences of indebte

ness of the United States, stocks and bonds of the state of Ohio, bonds of any mun cipal corporation of this state, or school bonds of any municipal corporation, special school district or body politic in this state, issued pursuant to law, or in bonds issued by county commissioners within this state in pursuance of law, to such an amount as may be deemed proper, or the stocks or bonds of any state of the United States that has, for five years immediately preceding such investment, paid the interest on its bonded debt in lawful money of the United States, to the extent of ten per cent. of their paid in capital and deposits, or in bonds or notes secured by mortgages on unincumbered real estate situated in the county where the association is located, or any adjoining county in this state, worth, exclusive of buildings, at least double the amount loaned thereon, unless accompanied with valid insurance upon the buildings thereon that will make the value of the real estate and insurance at least double the amount loaned thereon; but not more than seventy-five per centum of the amount of the paid in capital and deposits of any such association shall at any time be invested in such real estate securities. Such associations may discount notes and bills of exchange, and may take, receive, reserve and charge upon any loan or discount made upon any note, bill of exchange or other evidence of debt, interest at the rate allowed by law. Such interest may be reserved or taken in advance at the time of making the loan or discount; and for interest taken directly or indirectly in excess thereof, the associations shall be subject to the same penalties as natural persons; but in the purchase, discount or sale of a bill of exchange, payable at another place than the place of such purchase, discount or sale, the current rate of discount or premium may be charged and received in addition thereto. And no such corporation shall advertise by newspaper or letter-head or in any other way a larger capital stock than has been actually paid in.

Discounts; interest; exchange.

Advertisement of capital not paid in prohibited.

SECTION 2. Said section 3806 of the Revised Statutes is hereby repealed, and this act shall take effect and be in force from and after its passage.

Repeals, etc.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed April 18, 1892.
301G

[Senate Bill No. 130.]

AN ACT

To amend section (8035—219) section 6, of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assemb'y of the State of Ohio*, That sections (8035—215) Sec. 2, (8035—216) Sec. 3, and (8035—219) Sec. 6, be amended so as to read as follows:

Combined normal and industrial department at Wilberforce university:

Board of trustees; how members to be appointed and chosen.

Sec. (8035—215) Sec. 2. To carry out the purposes of th act there shall be, and hereby is created a board of six trustee to be known as "the board of trustees of the combined norm and industrial department at Wilberforce university;" thr shall be appointed by the governor, by and with the advi and consent of the senate, and three shall be chosen by th board of trustees of said university. The trustees to be a pointed by the governor as aforesaid, shall be appointed o or before the first day of May, 1892, and they shall hold the offices, respectively, as follows: One for one year, one for tw years, and one for three years, the term of each to begin run from the third Thursday in June, 1892; said terms sha be designated by the governor in his messages of appoin ment to the senate, and the commissions issued to suc trustees. At the session of the senate next preceding the e piration of the term of any trustee, the governor shall appoi his successor for the term of three years; and every appoin ment of the governor under this act shall be submitted to th senate for confirmation.

Appointment of trustees by governor; terms.

Choosing of trustees by university board; terms.

Sec. (8035—216) Sec. 3. The three trustees to be chose as aforesaid by the board of trustees of said university sha be chosen at the first regular meeting of said board in Jun 1892, after the passage of this act; and the three so chosen such meeting, shall hold their offices, respectively, as follows One for one year, one for two years, and one for three year the term of each to begin to run from the third Thursday i June, 1892. In anticipation of the expiration of the term any trustee so chosen, the said university board shall, annuall thereafter at its regular meeting choose his successor, wh shall hold his office for [the] term of three years.

Meetings of trustees.

Sec. (8035—219) Sec. 6. The board of trustees create under this act shall meet in regular session at said universit twice a year; the first meeting shall be on the third Thursda in June, and the second on the first Thursday in Novemb of each year; but other meetings may be held at such plac and times as a majority of the board may determine. T said trustees shall receive no compensation, but shall be r imbursed their traveling and other reasonable and necessa expenses out of appropriations under this act.

Expenses.

Repeals.

SECTION 2. Said original sections (8035—215) Sec. (8035—216) Sec. 3, and (8035—219) Sec. 6 are hereby repeale

SECTION 3. This act shall take effect and be in for from and after its passage.

ELVERTON J. CLAPP,
Speaker pro tem. of the House of Representative
ANDREW L. HARRIS,
President of the Senat

Passed April 18, 1892.
302G

[House Bill No. 138.]

AN ACT

To amend section 3341 of the Revised Statutes of Ohio, as amended February 24, 1891.

Railroad companies:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 3341 of the Revised Statutes of Ohio, as amended February 24, 1891, be amended so as to read as follows:

When companies must transport cars of other companies.

Sec. 3341. When the tracks of two companies are connected as aforesaid, either company shall, when required, transport over its road to its destination thereon, any freight offered, in the cars in which it is offered, at its local rates per mile as set forth in the company's freight tariff for the distance most nearly corresponding, and [to] return the cars, with or without freight, without unnecessary delay; and any company owning a track or tracks lying contiguous to coal mines, stone quarries, manufacturing establishments, elevators, warehouses, navigable waters or side-tracks as aforesaid, and within the proper terminal limits of or about any city or village, shall be entitled to receive from the company whose cars are so switched, loaded and unloaded at such coal mines, stone quarries, manufacturing establishments, elevators, warehouses, navigable waters or side-tracks, no more than one dollar per car for switching one-half mile or less on such tracks; for all distances over one-half mile, and not exceeding two and one-half miles, such charge shall not exceed one dollar and fifty cents per car; and for all distances over two and one-half miles and not exceeding five miles, the charge shall not be more than two dollars per car; and for all distances of more than five miles the charge shall not be more than three dollars per car; and when such service is on the roads of two or more companies, then the aforesaid charges shall be divided between said companies in proportion to the distances of each road; provided, however, that each company shall be entitled to at least one dollar for such service, regardless of distance, and there shall be no charge for returning empty cars from said coal mines, stone quarries, manufacturing establishments, elevators, warehouses, navigable waters or side-tracks; and any such company shall be entitled to perform the service or do the switching work, herein provided for, in the daytime; and whatever private side-tracks are now, or may hereafter be constructed, it shall be the duty of the company to switch cars thereon at the rates herein specified; and the distance provided for in this section shall be computed from the general freight warehouse in such city or village, and from the siding used for the storage of cars nearest to where they may be required, outside municipalities; provided further, that nothing herein contained shall require any railway or railroad company now in operation to furnish its terminals and facilities at the rates herein named, to any similar company for any railroad to be built by it hereafter which shall not afford similar terminals and reciprocal facilities.

Rates for switching cars of other companies, etc.

Repeals, etc.

SECTION 2. Said original section 3341, as amended F
ruary 24, 1891, is hereby repealed; and this act shall t
effect on its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representati

ANDREW L. HARRIS,
President of the Se

Passed April 18, 1892.
303G

[House Bill No. 184.]

AN ACT

To amend section 3821d of the Revised Statutes, as passed April 28, 1
(Ohio laws, volume 88, page 407.)

Savings and loan associations:

SECTION 1. *Be it enacted by the General Assembly of the S of Ohio*, That section 3821*d* of the Revised Statutes, as pas April 28, 1891 (Ohio laws, volume 88, page 407), be amen so as to read as follows:

Liability.

Sec. 3821*d*. The capital of such companies shall, w all their property and effects, be absolutely liable in cas any default whatever in any of the trust positions afores and shall, together with the statutory liability of the sto holders, be taken and considered as the only security requi by law, and such companies shall not be required to give any trust capacity any other bond, security, oath or unc taking. The probate judge may, at any time he deems pro require additional security in any amount he may think n essary. Provided, however, that no such company shall cept any trusts which may be vested in, transferred or co mitted to it by any individual or by any court of record provided in section 3821*c*, until the capital stock of said co pany shall amount to two hundred thousand dollars, fu paid up, and until such company shall have deposited w the treasurer of state one hundred thousand dollars in ca or in securities in which said company is by law allowed invest its capital; provided, the full amount of such depo may be made in bonds of the United States or state of Oh the treasurer of state shall hold such fund or securit deposited with him as security for the faithful performanc all the trusts assumed by said company, but so long as a such company shall continue solvent, said treasurer shall p mit it to collect the interest of [or] dividends on its securities deposited, and from time to time to withdraw such securities cash, or any part thereof, on depositing with him cash, other securities of the kind heretofore named, so as to ma tain the value of said deposit at one hundred thousand d lars.

Additional security.

Required paid up capital.

Deposit with treasurer of state.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892.
304G

[Senate Bill No. 209.]

AN ACT

To amend section 2829 of the Revised Statutes, relating to the levy of taxes for road purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 2829 be so amended as to read as follows:

Levying taxes:

Sec. 2829. In any county containing a city of the first class of the first grade the trustees of the several townships in said county outside of said city shall be authorized to levy annually such road tax as they may deem necessary to keep in repair and improve the public roads and highways in their respective townships, not to exceed three mills on the dollar in any one year; two mills of said tax may be discharged in labor as hereinafter provided, the balance (if any) is to be placed on the duplicate of the county by the county auditor, and the same shall be collected as other moneys are collected in the December installment by the county treasurer and paid over by him to the treasurer of the township from which said taxes were collected; and said fund shall be expended by the township trustees for labor and material necessary in improving and repairing the public roads of the township; provided, that when a township shall include one or more incorporated towns or villages, the rate of tax levied by said township trustees shall not apply or be assessed or collected from the property included within the limits of such incorporated town or village; but the council of such town or village may exercise the right conferred on the trustees of townships to make such levy if they deem the same necessary. If the trustees of any township other than those in counties containing a city of the first grade of the first class, shall deem an additional road tax necessary, they shall determine the per centum to be levied on the taxable property of their townships, not exceeding two mills on the dollar, except in counties where the taxable property is less than ten millions, in which counties the trustees of the different townships thereof may, at their discretion, levy an additional road tax not to exceed three mills on the dollar valuation of the taxable property of their townships, which may be discharged in labor as hereinafter provided; and in addition thereto, not exceeding one mill on the

Township road tax in Hamilton county outside of Cincinnati.

Labor in discharge of part tax; collection and expenditure of township road fund.

Municipalities.

Additional township road tax in counties outside of Hamilton.

Power of village councils to make such levy for themselves.

dollar for the same purpose, to be collected in money; where a township shall include an incorporated villag rate of tax so fixed by said township trustees shall not or be assessed or collected from the property included w the incorporated limits of such village; but the council o such village shall exercise the right conferred by this ti the trustees of townships to make such additional le road purposes on the taxable property within the corp limits of any such village as the trustees may, by this

Certificate to auditor.

make for road purposes in their respective townships; said trustees and council shall certify the same to the co auditor in writing, on or before the fifteenth day of

Collection.

each year; and the auditor of the county shall asses same on all taxable property in said township, town or vi and the same shall be collected in the December installr

Repeals, etc.

SECTION 2. Original section 2829 is hereby repealed this act shall take effect and be in force from and aft passage.

LEWIS C. LAYLIN
Speaker of the House of Represent
ANDREW L. HARRIS
President of the S

Passed April 18, 1892.
305G

[House Bill No. 239.]

AN ACT

Making appropriations to pay damages caused by the breaking bank of the Miami and Erie canal near Allen's mill, Miami c Ohio.

Payment of damages to Edgar DuBois and F. D. Skinner.

SECTION 1. *Be it enacted by the General Assemb'y of the of Ohio*, That the board of public works be and is h authorized to pay out of any money heretofore appropr for the purposes and uses of the said board the follo amounts for the purpose hereinafter specified: To E DuBois, $150 for damages allowed by the board of p works. To F. D. Skinner, $250 for damages allowed b board of public works.

How payment to be made

SECTION 2. Payment of said sums shall be made presentation of vouchers for the same duly approved b board of public works.

SECTION 3 This act shall take effect and be in force and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Represent
ANDREW L. HARRIS,
President of the S

Passed April 18, 1892.
306G

[Senate Bill No. 269.]

AN ACT

To amend section 3184 of the Revised Statutes of Ohio.

Mechanic's lien:

SECTION 1. *Be it enacted by the General Assemb'y of the State of Ohio*, That section 3184 of the Revised Statutes of Ohio be amended so as to read as follows:

Lien upon water-craft, building, bridge, gas well, oil well, etc.

Sec. 3184. A person who performs labor, or furnishes machinery or material for constructing, altering or repairing a boat, vessel, or other water-craft, or for erecting, altering, repairing or removing a house, mill, manufactory, or any furnace or furnace material therein, or other building, appurtenance, fixture, bridge, or other structure, or for the digging, drilling, boring, operating, completing or repairing of any gas well, oil well, or any other well, by virtue of a contract with the owner or his authorized agent, shall have a lien to secure the payment of same upon such boat, vessel, or other water-craft, or upon such house, mill, manufactory, or other building, or appurtenance, fixture, bridge, or other structure, or upon such gas well, oil well, or any other well, and upon the material and machinery so furnished, and upon the interest, leasehold or otherwise, of the owner in the lot or land on which the same may stand, or to which it may be removed.

Repeals.

SECTION 2 Section number 3184, as heretofore amended, is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.

ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed April 18, 1892.
307G

[House Bill No 294.]

AN ACT

To give better protection to such persons as use and pass up and down stairs and stairways in or on tenement-houses, apartments, manufactories, mills, shops, stores, churches, hotels, public halls, lecture rooms, restaurants, public library rooms, business offices of professional men and others doing business for or with the public, all public buildings and other rooms of public resort, whether for the transaction of business or social enjoyment.

Preamble.

WHEREAS, Accidents are daily occurring and fatal injuries resulting from the want of proper protection to such person or persons as are named in the foregoing title and statement of the purposes of this act; therefore,

Hand-rails for stairways in certain buildings.

SECTION 1. *Be it enacted by the General Assemb'y of the State of Ohio*, That all stairs or stairways for ingress or egress to and from all tenement-houses, apartments, manufactories, mills, shops, stores, churches, hotels, halls for public meetings, lec-

ture rooms, restaurants, public library rooms, business of professional men and others doing business for or wi public, all public buildings and other rooms or places o lic resort or use whether for the transaction of busin social enjoyment, shall be provided by the owners there the directors, trustees, lessees, managers, controllers o prietors of any of said buildings wherein said stairs or ways are erected and used for the purposes aforesaid, w good, substantial hand-rail extending from the top t bottom of said stairs or stairway, and the same shall be f fastened by said owners, directors, trustees, lessees, man controllers or proprietors to the wall or other support o tition at the side of such stairs or stairway most conve for use, and such hand-rail shall be constructed or ma wood not less than one and one-half inches wide and tw one-half inches thick; or iron not less than one and a inches in diameter and shall be put up and maintained all the said stairs and in all the said stairways in the buildings now erected and in use or which may hereaft used for any of the purposes aforesaid, and in all such b ings hereafter constructed to be used for the purposes said.

Penalty for failure to provide; liability for damages.

SECTION 2. Any person or persons owning or h charge of such stairs or stairways as directors, trustees, le managers or proprietors of any of said buildings, wherei stairs are erected and used for the purposes aforesaid, neglecting or refusing to provide said hand-railings an up and keep up the same in manner aforesaid, sha deemed guilty of a misdemeanor and on conviction th before any mayor or justice of the peace or other comp authority, shall be fined in any sum not less than te more than one hundred dollars, and shall be liable to person injured for the want of such railing or railings f injury to such person or damages resulting therefrom.

Private dwellings and rooms for transaction of private business.

SECTION 3. This act shall in no manner apply to pr dwelling-houses, and other rooms and places where onl vate business is transacted by the owners or occupiers th

SECTION 4. This act shall take effect and be in from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representa
ANDREW L. HARRIS,
President of the S

Passed April 18, 1892.
310G

[House Bill No. 297.]

AN ACT

To amend section 6564 of the Revised Statutes of Ohio.

Justices of the peace:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 6564 of the Revised Statutes be amended so as to read as follows:

Jury fees.

Sec. 6564. Upon the verdict being delivered to the justice, and before judgment rendered thereon, each juror shall be entitled to receive seventy-five cents per day for each day's service as such juror, at the hands of the successful party, which shall be taxed in the costs against his adversary; when the jury shall not be able to agree upon a verdict the same compensation shall be paid them by the party calling the jury, and the same shall be taxed in the cost bill against the losing party.

Repeals.

SECTION 2. That said original section 6564 be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892.
311G

[Senate Bill No. 297.]

AN ACT

To authorize the trustees of the gas-works of municipal corporations not having sinking fund trustees and owning gas-works to create a sinking fund of the surplus revenues of such works, for the purpose of meeting and paying off when due, or buying in before due, any long time gas bonds of such municipal corporation, and to invest all moneys not required for other purposes in other bonds.

Gas-works sinking fund in certain municipalities.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the surplus of all revenues received by the trustees of the gas-works of any municipal corporation, which does not have a board of sinking fund trustees, and owning gas-works above the revenue required for the proper conduct and management of the gas-works therein and the payment of the bonds issued for gas-works purposes and the interest on the same, may at any time be set aside and thereafter considered a separate fund to be known as the "gas-works sinking fund;" and said fund shall be held for the purpose of meeting and paying off when due, or buying in before due, any long time bonds issued by such municipal corporation for gas-works purposes, and said trustees shall have the control of said fund and shall invest all moneys placed in said fund not required to meet maturing gas-works bonds of

Redemption of gas-works bonds.

Investment of surplus moneys.

such municipal corporation in bonds of the United States, the state of Ohio, city of Findlay or any other city or village in the state of Ohio, and the trustees shall give preference to the bonds of the city or village of its respective class and grade when they can be purchased at a price equal to or less than the bonds of the United States, or the state of Ohio, taking into consideration the rate of interest on each; all interest received by them shall be invested in like manner, and at no time shall there be over ten thousand dollars kept upon deposit if investment can be made; but the sinking fund and bond purchases hereby authorized shall be limited in amount to the bonded indebtedness of such municipal corporation for gas-works purposes, and no bonds shall be purchased which will not be due and payable before such bonded indebtedness falls due.

Interest.

Limitations.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed April 18, 1892.
312G

[Senate Bill No. 311.]

AN ACT

Supplementary to an act entitled "An act to provide for a commission to establish the boundaries and lines of the canals, canal basins, reservoirs, etc., etc., of the state, by an accurate survey by metes and bounds, together with maps and plats of the same, and to define and protect the ownership and titles of the state in and to all lands belonging to and connected with said canals."

Canal commissioners:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the term of office of the commission appointed by the authority of an act entitled "An act supplementary to an act entitled an act to provide for a commission to establish the boundaries and lines of the canals, and canal basins, reservoirs, etc., etc., of the state by an accurate survey by metes and bounds, together with maps and plats of the same, and to define and protect the ownership and titles of the state in and to all lands belonging to and connected with said canals," [passed] April 18th, 1890, having expired by limitation, and the work assigned to said commission not having been completed, the governor is hereby authorized to appoint, by and with the advice and consent of the senate, two canal commissioners who shall complete, in the manner therein provided, the work prescribed in the act entitled "An act to provide for a commission to establish the boundaries and lines of canals, canal basins, reservoirs, etc., etc., of the state by an accurate survey by metes and bounds, together with maps and plats of the same, and to define and protect the ownership and titles of the state in and to all lands belonging

Appointment; powers and duties.

to and connected with said canals," passed March 28th, 1888 (O. L. vol. 85, p. 127), and the act amendatory thereof, passed April 12th, 1889 (O. L. vol. 86, p. 270), and the act supplementary thereto (to which this act is supplementary), passed April 18th, 1890 (O. L. vol. 87, p. 219), and the act amendatory of the act of April 12th, 1889, above named, passed May 1st, 1891 (O. L. vol. 88, p. 507), and the act enlarging the duties of the canal commission, passed April 23d, 1891 (O. L. vol. 88, p. 338), and any other acts amendatory of or supplementary to the above named acts, and for such purpose the canal commissioners created by this act shall exercise the powers and perform the duties conferred and imposed upon the canal commission, or any member thereof, by the above named acts, or either of them, or by any existing law. The term of office of such canal commissioners shall be two years, unless sooner removed by the governor, who is authorized to fill any vacancy occurring in the office. The said canal commissioners, after appointment, shall take an oath of office and give bond in the sum of ten thousand dollars, conditioned for the faithful discharge of his duties, and shall receive the sum of fifteen hundred dollars per annum, and necessary expenses in the prosecution of his duties, to be paid as the compensation and expenses of the canal commission, of which such canal commissioners will be the successors, as now required by law to be paid.

Term.

Vacancy.

Oath; bond; salary and expenses.

SECTION 2. There is hereby appropriated out of any moneys in the treasury to the credit of the general revenue fund not otherwise appropriated, for expenses of the canal commissioners, seven thousand two hundred and sixty dollars ($7 260 00), and for salary of the canal commissioners, three thousand dollars.

Appropriation for expenses and salary.

SECTION 3. This act shall take effect and be in force from and after the 18th day of April, 1892.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed April 18, 1892.
313G

[Senate Bill No. 312.]

AN ACT

To supplement section 290 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 290 of the Revised Statutes be supplemented by an additional section as follows:

Inspector of mines:

Sec. 290*a*. That authority be and is hereby given to appoint two additional district inspectors of mines; and they shall be appointed in the same manner and possess the same qualifications and receive the same compensation as the five

Additional district inspectors.

district inspectors of mines authorized by said Sec. 290. The term of office of the two district inspectors of mines herein provided for shall be three years and they shall take an oath and give bond as provided in Sec. 291 of the Revised Statutes of Ohio, and shall be subject to the regulations and requirements of the district inspectors authorized in said Sec. 290 as provided in chapter nine of the Revised Statutes of Ohio. The chief inspector of mines shall assign said additional inspectors for service in districts to be designated by him and he is authorized to divide the state in seven districts in each of which one of the district inspectors of mines shall reside.

SECTION 2. This act shall take effect and be in force from and after the first day of May, 1892.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed April 18, 1892.
314G

[Senate Bill No. 319.]

AN ACT

To authorize cities of the 4th grade and second class to contract for street improvement and issue bonds to provide funds for the same.

Additional tax for cost of crossings or intersections of streets, alleys or highways (Wellsville).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That when the council of a city of the 4th grade, second class, having a population at the last federal census of not less than 5,200 nor more than 5,275 or which may have such population at any subsequent federal census determines to grade, pave, sewer, or otherwise improve a street, alley, or other public highway, the council shall levy and assess a tax, in addition to that specified in section 2273 of the Revised Statutes of Ohio, upon the general tax list of all the taxable real and personal property in the corporation, for the estimated cost and expense of so much of the improvement as may be included in the crossing or intersection of such street, alley, or highway, which amount the corporation clerk shall certify to the county auditor, and the same shall be enforced against such real and personal property as other taxes are enforced and collected; and such amount may be so certified, and such levy made, after the contract is let, or said improvement completed, and the provisions hereof shall apply to improvements already determined upon or ordered and for the payment of which special assessments have not been made; and any such city shall have the right to provide funds for the payment of the part or share of the improvement or appropriation to be paid by general taxation, as provided for in this and section 2273 aforesaid in anticipation of the tax levy provided for, by issuing and selling its bonds, under the restrictions of section 2709 of the Revised Statutes of Ohio, such bonds to

Bonds in anticipation of such tax.

bear interest at a rate not to exceed six per cent. per annum, payable semi-annually, and to be payable at such time as the council may determine; and if such bonds are issued, then shall the council of such city levy and assess a tax each year on all of the taxable property, real and personal, of said city, sufficient to pay the interest on said bonds and such of said bonds becoming due in such year.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed April 18, 1892.
315G

[Senate Bill No. 322.]

AN ACT

To authorize township trustees in certain townships in the state of Ohio to issue bonds for the purpose of public improvements.

Public improvement bonds (Greene township, Ashland county).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the township trustees of any township of not less than 1,965 nor more than 1,975 in any township which at the last federal census had a population of not less than 1,965 nor more than 1,975, be and the same are hereby authorized and empowered to issue the bonds of such township in any sum not exceeding ten thousand dollars, in denominations not exceeding one thousand dollars each, bearing interest not exceeding six per cent. per annum, payable semi-annually, and payable at any time not exceeding fifteen years from the date of their issue, as the township trustees of such township shall determine. Said bonds shall be advertised for public sale; the sale of said bonds shall be to the highest and best bidder, after thirty days' notice in at least two newspapers of general circulation in said Ashland county, Ohio, setting forth the nature, amount, rate of interest and length of time the bonds have to run, with the time and place of sale; said bonds shall be sold at not less than their par value.

Application of proceeds.

SECTION 2. The proceeds arising from the sale of said bonds or any portion of them shall be expended for the purpose of aiding and encouraging public improvements in such township.

Question of issue to be submitted to voters.

SECTION 3. Before such bonds or any of them shall be issued the question of issuing the same shall be submitted to a vote of the qualified electors of such township at a regular or special election to be held at the usual places of voting in such township, and at such time as the trustees thereof may determine. The ticket to be voted at such election shall have written or printed thereon, "Authority to issue bonds—Yes;" "Authority to issue bonds—No." If the proposition to issue bonds be approved by a majority of those voting thereon at

such election, then the township trustees of such township may issue and sell said bonds for the purpose heretofore named and as provided in this act. Notice of such election shall be published in at least two newspapers published or circulating in such township for not less than ten days prior to such election, which shall in all respects not herein provided for be managed and conducted as other township elections are or may be required by law to be managed and conducted in township elections.

Additional tax levy.

SECTION 4. To pay the principal and interest of any of said bonds as the same shall become due, the trustees of such township are authorized and empowered to levy a sufficient tax on all the taxable property of any such township in addition to all other taxes authorized by law; said tax shall be levied and collected as other taxes in such township.

Limitations.

SECTION 5. That if the bonds herein provided for shall not be issued or disposed of within five years from April 1st, 1892, then this act shall be null and void; and if at the expiration of that time there remains a portion of said bonds which have not been issued or disposed of, then that portion of said bonds shall be void and of no effect.

SECTION 6. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.

ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892.
316G

[House Bill No. 356.]

AN ACT

To afford better protection to life and limb of employes.

Regulations as to scaffolding, hoists, stays, ladders, etc., for use of employes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That a person or corporation employing or directing another to do or perform any labor in the erection, repairing, altering or painting any house, building or structure within this state, who shall knowingly or negligently furnish or erect or cause to be furnished for erection for and in the performance of said labor, such unsuitable or improper scaffolding, hoists, stays, ladders or other mechanical contrivances as will not give proper protection to the life and limb of any person so [employed or] engaged, or if any such scaffolding or staging swung or suspended from an overhead support or supports shall be more than twenty feet from the ground or floor, the same shall be deemed unsuitable and improper and as not giving proper protection to the life and limb of any person employed or engaged thereon, unless such scaffolding or staging shall, when the same is in use, have a safety-rail rising at least thirty-four inches above the floor or main portion of such scaffolding or staging, and extending along the

outside thereof, and properly attached thereto, and unless such scaffolding or staging shall be provided with braces so as to sustain the weight of a man's body leaning against it, and prevent the scaffold or staging from swaying from the building or structure.

Penalty for violation.

SECTION 2 That any person or corporation by any of its officers who shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding five hundred dollars, or by imprisonment in the county jail not to exceed three months, or both, at the discretion of the court.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.

ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892.
317G

[House Bill No. 364.]

AN ACT

To amend section 670 of the Revised Statutes, as amended April 23d, 1891 (O. L., v. 88, p. 356).

Institution for the blind:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 670 of the Revised Statutes be amended so as to read as follows:

Compensation of officers and employes.

Sec. 670. Compensation shall be paid the following named officers and employes at not exceeding the sums herein stated: To the matron four hundred dollars per year; to the assistant matrons three hundred dollars each per year; the housekeeper three hundred dollars per year; the senior teacher in the literary department eight hundred dollars per year; the second senior teacher in the literary department seven hundred dollars per year; all other teachers in the literary department four hundred and fifty dollars each per year; the professor of music one thousand dollars per year; one teacher of music in primary grade for boys five hundred dollars per year; one teacher of music five hundred dollars per year; all all other teachers of music three hundred dollars each per year; excepting one teacher of music in primary grade for boys, who shall receive five hundred dollars per year; the teacher of bead work one hundred and fifty dollars per year; the foreman of broom shop six hundred dollars per year, and the engineer one thousand dollars per year; but the teachers residing and boarding outside said institution may be paid in addition to the foregoing not to exceed five dollars per week in lieu of such board and residence during the time of actual service as teachers, out of the current expense fund of said institution.

Repeals, etc.

SECTION 2. That original section 670 of the Revised Statutes is hereby repealed; and this act shall take effect on its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892.
318G

[House Bill No. 403.]

AN ACT

To amend section 553 of the Revised Statutes of Ohio, as amended April 25, 1891.

Provisions for courts of record:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section five hundred and fifty-three (553) of the Revised Statutes, as amended April 25, 1891, be and is hereby amended to read as follows:

Court constables: appointment, powers, duties and compensation.

'Sec. 553. The court of common pleas and circuit court in any county, and the superior court in any city or county, and the probate court in any county containing a city of the first class (except fourth grade), and of the first grade of the second class, may each appoint one or more constables to preserve order and discharge such other duties as the court requires; and in any county containing a city of the second grade of the second class, the constables so appointed by the court of common pleas shall perform the same duties in the probate court; and each constable when so directed by the court, shall have the same power to call and impanel jurors, which by law the sheriff of the county has, except in capital cases The compensation of such constables shall be the same as that of regular jurors; except in counties containing a city of the first grade of the first class and of the first grade of the second class, it shall be one thousand dollars ($1,000 00) per annum, and in counties containing cities of the second grade of the first class, it shall be seven hundred dollars per annum, except the constable appointed by the probate court, whose compensation shall be eight hundred dollars per annum; and in all counties having a population of not less than 84,150 and not more than 84,250 at the federal census of 1890, it shall be $600 per annum, and in counties containing cities of the third grade of the first class the compensation of said constables so appointed by the court of common pleas shall be six hundred dollars ($600.00) per annum; and in all cases shall be paid out of the county treasury on the order of the court.

SECTION 2. That section 553 of the Revised Statutes, as amended April 25, 1891, be and the same is hereby repealed; and this act shall take effect on its passage. Repeals, etc.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892.
319G

[House Bill No. 405.]

AN ACT

To amend section one of an act entitled "An act to exempt from taxation the benevolent fund of 'Indiana yearly meeting of friends,'" passed June 20, 1879. (Vol. 76, page 184, O. L.)

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section one of an act entitled "An act to exempt from taxation the benevolent fund of Indiana yearly meeting of friends," be amended so as to read as follows, passed June 20, 1879 (O. L., vol. 76, p. 184): Taxation:

Sec. 1. All moneys, funds or credits belonging to the representative body of Indiana meeting of friends or the religious society known as the German baptists or dunkers in this state, which moneys, funds or credits or the income therefrom shall be exclusively used for [the support of] the poor of such denomination, society or congregation, shall be exempt from taxation; and the person or persons having the care and supervision of such moneys, funds or credits, shall not be required to return or list the same for taxation. Benevolent funds exempt from taxation.

SECTION 2. That said section one of an act entitled "An act to exempt from taxation the benevolent fund of Indiana yearly meeting of friends," be and the same is hereby repealed. Repeals.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892.
320G

[House Bill No. 433.]

AN ACT

For the relief of the Little Miami elevator company.

WHEREAS, The Little Miami elevator company recovered a judgment against the state of Ohio in the court of common pleas of Franklin county for six thousand dollars; and Preamble.

WHEREAS, It appears of record in said action that said money was paid to the state of Ohio by the Little Miami elevator company on the eighteenth day of September, 1869, and that the state of Ohio has had the use of said money ever since said date; therefore,

Appropriation for Little Miami elevator company.

SECTION 1. *Be it enacted by the General Assemb'y of the State of Ohio*, That there be and hereby is appropriated out of any moneys in the state treasury to the credit of the general revenue fund and not otherwise appropriated, the sum of fifty-seven hundred and sixty-five dollars, to be paid to the Little Miami elevator company upon voucher to be approved by the attorney-general, being interest in full from 1869 to 1891, on claim as evidenced by a judgment for the sum of six thousand dollars in the case of the Little Miami elevator company against the state of Ohio.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892.
321G

[House Bill No. 487.]

AN ACT

To amend sections 546*a*, 547, 1117, 1157*a* and 1260*b* of the Revised Statutes of Ohio, as amended May 4, 1891.

Compensation of county officers:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 546*a*, 547, [1117,] 1157*a* and 1260*b* of the Revised Statutes of Ohio, as amended May 4 1891, shall be amended so as to read as follows:

Compensation of probate judges.

Sec. 546*a*. The several probate judges shall hereafter receive compensation per annum for their services, as follows: In all counties, the sum of fifteen hundred dollars, and the sum of one hundred dollars additional thereto for each five thousand or the larger fraction thereof, of the population of the county in excess of fifteen thousand, as determined by the last preceding federal census, and in counties having more than one hundred and forty thousand inhabitants, ten dollars for each additional thousand inhabitants; such compensation to be paid as near as may be in equal monthly installments out of the probate fee fund upon the order of the county auditor. But nothing herein shall apply to counties having three hundred thousand inhabitants or more, and in all counties containing more than twenty thousand [and] less than three hundred thousand inhabitants, the probate judge thereof may appoint a deputy or deputies whose number and respective salaries shall be fixed by the judge or judges of the court of common pleas, resident of such county, and if there be none,

Exceptions.
Deputies.

then by the senior judge of the subdivision of which such county forms a part, and shall be certified to the auditor and treasurer and paid out of the county treasury monthly out of the probate fee fund, upon the order of the county auditor. Provided, that the compensation of the probate judge and the salary of his deputy clerk or clerks shall in no case exceed in any one year, in the aggregate, the amount of fees collected and paid into the probate fee fund by him. Limitation.

Sec. 547. At the end of each month the probate judge shall file with the county auditor a statement, under oath, of all the costs, fees, percentages and allowances collected or received by him for services rendered and the sources from which derived during the month; and shall at the same time pay into the county treasury the amount thereof and take duplicate receipts therefor from the treasurer, one of which he shall retain and one he shall file with the county auditor, who shall preserve the same, and said sum shall be placed to the credit of the probate fee fund in the county treasury. The probate judge shall actively and in person discharge and perform the duties of his office, and a failure or neglect so to do unless unavoidable, shall be cause for his removal from office. Monthly statement of collections. Payment of same into treasury; receipts. Probate fee fund. Performance of duties; cause for removal.

Sec. 1117. The county treasurers shall receive compensation per annum for their services as follows: In all counties the sum of fifteen hundred dollars and the sum of two hundred dollars in addition thereto for each five million dollars or the larger fraction thereof, of the total valuation of property on the general tax duplicate of the county in excess of five million dollars. Provided, that when the valuation reaches fifty millions, the increase shall be at the rate of one hundred dollars for each additional five millions or the greater fraction thereof. But nothing herein shall apply to counties containing three hundred thousand inhabitants or more, and in all counties containing twenty thousand and less than three hundred thousand inhabitants, the treasurer may appoint a deputy or deputies, whose number and respective salaries shall be fixed by the county commissioners, and certified by them to the county auditor and treasurer, and the treasurer and his deputy or deputies shall be paid out of the county treasury monthly upon the order of the county auditor. Nothing herein shall be construed to affect section 2856. The county treasurer shall, at the end of each month, file with the county auditor a sworn statement showing the amount of percentages and allowances received or collected by him during the month, and the sources from which derived, and shall at the same time pay the amount thereof into the county treasury and file the receipts therefor in the county auditor's office, and said sum shall be credited to the general or county fee fund in the county treasury. The treasurer shall actively and in person discharge and perform the duties of his office, and a failure or neglect to do so unless unavoidable, shall be cause for his removal from office. Compensation of county treasurers. Exceptions. Deputies. Payment of treasurers and deputies. Percentage. Monthly statement of collections. Payment of same into treasury; receipts; general or county fee fund; performance of duties; cause for removal.

Compensation of county recorders.

Sec. 1157*a*. The several county recorders shall hereafter receive compensation per annum for their services, as follows: In all counties the sum of one thousand dollars, and the sum of one hundred dollars in addition thereto for each five thousand or the larger fraction thereof of the population of the county in excess of fifteen thousand, as determined by the last preceding federal census.

Monthly statement of collections.

At the end of each month the county recorder shall file with the county auditor a sworn statement of all fees and allowances collected or received by him during the month, and the

Payment of same into treasury; receipts.

sources from which derived, and shall at the same time pay into the county treasury the amount thereof and take duplicate receipts therefor, one of which he shall retain, and one

County recorder's fee fund.

he shall file with the county auditor, and said amount shall be credited to the county recorder's fee fund in the county

Exceptions.

treasury. But nothing herein shall apply to counties having

Deputies.

three hundred thousand inhabitants or more. In all counties containing more than twenty thousand population the county recorder may appoint one or more deputies, whose number and respective salary or salaries shall be fixed by the county commissioners and certified by them to the county auditor

Payment of recorders and deputies; limitation.

and treasurer; and the salary of the recorder and of his deputy or deputies shall be paid monthly out of the county recorder's fee fund upon the order of the auditor; provided, however, that the total compensation paid any recorder and deputy or deputies under this act shall not, together, exceed the fees by

Performance of duties; cause for removal.

him received and collected. The county recorder shall actively and in person perform and discharge the duties of his office, and a failure or neglect so to do unless unavoidable, shall be cause for his removal from office.

Compensation of clerks of the court of common pleas.

Sec. 1260*b*. The several clerks of the court of common pleas shall hereafter receive compensation per annum for their services, as follows: In all counties the sum of one thousand dollars, and the sum of two hundred dollars in addition thereto for each five thousand or the larger fraction thereof of the population of the county in excess of fifteen thousand and not exceeding thirty thousand, and above thirty thousand the sum of one hundred dollars for every five thousand or larger fraction thereof of the population as deter-

Exceptions.

mined by the last preceding federal census. But nothing herein shall apply to counties containing three hundred

Deputies.

thousand inhabitants or more, and in all counties containing twenty thousand inhabitants and less than three hundred thousand inhabitants, the clerk of the court of common pleas thereof may appoint a deputy clerk or clerks, whose number and respective salaries shall be fixed by the judge or judges of the court of common pleas, resident of such county, and if there be none, then by the senior judge of the subdivision of which such county forms a part, and shall be certified to the county

Payment of clerks and deputies.

auditor and treasurer, and the salary of the clerk and of his deputy or deputies shall be paid monthly out of the clerk of the common pleas fee fund, upon the order of the county auditor;

Percentage.

and in addition thereto, clerks of the court of common pleas shall receive ten per cent. of all moneys collected by them

under section 1260. At the end of each month the clerk of the court of common pleas shall file with the county auditor a statement, under oath, of all the fees, costs, commissions, allowances and percentages collected or received by him during the month for services rendered, and the sources from which derived, and shall, at the same time, pay into the county treasury the amount thereof, less the ten per cent. of his collections under said section 1260, and shall take duplicate receipts therefor, one of which he shall file with the county auditor, and one of which he shall retain, and said amount shall be credited to the clerk of common pleas fee fund in the county treasury. Provided, however, that the total compensation paid any clerk of the common pleas court and his deputy clerk or clerks, out of said fund, shall not, in the aggregate, exceed the fees, costs, commissions, percentages or allowances by him received or collected for services rendered, except the ten per cent. as aforesaid; provided, further, that the costs or fees charged by him, but collected by his successor and paid into the county treasury, may be used to pay said clerk the full compensation herein provided in case there shall not be sufficient money in said fee fund to pay his full compensation as provided herein at the expiration of his term of office. The clerk of the court of common pleas shall actively and in person perform and discharge the duties of his office, and a failure or neglect so to do, unless unavoidable, shall be cause for removal from office. In case the fund from which the salaries of any of said officers and their respective deputies are payable is not sufficient to pay the whole of said salaries at any time, then the fund shall be pro-rated between such officer and his deputies in proportion to their salaries, and the balance in each fund shall, as to each office, at the end of each official year, after the payment of the salaries payable therefrom, be turned over and transferred to the general county funds.

Monthly statement of collections.

Payment of same into treasury; receipts.

Clerk's fee fund.

Limitation.

Costs or fees charged by clerks, but collected by successors.

Performance of duties; cause for removal.

Pro-rating of fund between county officers and deputies.

Annual transfer of balance of fund.

SECTION 2. That sections 546*a*, 547, 1117, 1157*a* and 1260*b*, as amended May 4, 1891, are hereby repealed.

Repeals.

SECTION 3 This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN

Speaker of the House of Representatives.

ANDREW L. HARRIS,

President of the Senate.

Passed April 18, 1892.

322G

[House Bill No. 521.]

AN ACT

To repeal "An act to amend an act to establish an intermediate penitentiary, and to provide for the appointment of a board of managers to locate, construct and manage the same, passed April 14, 1884, and the act amendatory thereto, passed April 18, 1890, and to change the name of said institution to the Ohio state reformatory," passed April 30, 1891.

Repeals.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the "Act to amend an act to establish an intermediate penitentiary and to provide for the appointment of a board of managers to locate, construct and manage the same, passed April 14, 1884, and the act amendatory thereto, passed April 18, 1890, and to change the name of said institution to the Ohio state reformatory," passed April 30 1891 (O. L., vol. 88, p. 48[418]), be and the same is hereby repealed.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892.
323G

[House Bill No. 557.]

AN ACT

To amend section 6960 of the Revised Statutes of the state of Ohio.

Offenses against public policy:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 6960 of the Revised Statutes be amended so as to read as follows:

Killing or injuring certain birds; penalty.

Sec. 6960. Whosoever shall at any time catch, kill or injure, or pursue with such intent any swan, sparrow, other than English sparrow, robin, bluebird, martin, thrush, mocking-bird, swallow, oriole, redbird, grosbeak, cat-bird, chewink or ground-robin, pewee or phœbe-bird, wren, cuckoo, indigo-bird, nuthatch, creeper, yellowbird or fringilla, yellowhammer or flicker, warbler or finch, marvis, redstart, dummock, nightingale, crossbill, croke, Hungarian robin, great-tit or blue-tit, or destroy the eggs of any such birds, shall be guilty of a misdemeanor and on conviction shall be punished as hereinafter provided in section sixty-nine hundred and sixty-eight. Provided, that nothing herein shall be construed so as to prohibit the killing of robins, yellowhammer or flicker by the owner or tenant of any premises where such birds are found injuring fruit, grain or berries growing on such premises.

SECTION 2. Said section 6960 is hereby repealed; and this act shall take effect and be in force from and after its passage. Repeals, etc.

LEWIS C. LAYLIN
Speaker of the House of Representatives.

ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892.
324G

[House Bill No. 599.]

AN ACT

To amend section 1 of act entitled "An act to compel children under fourteen years of age to attend school a certain length of time each year," of the Revised Statutes of Ohio, passed April 25, 1890.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 1 of an act entitled "An act to compel children under fourteen years of age to attend school a certain length of time each year," of the Revised Statutes of Ohio, passed April 25, 1890, be amended so as to read as follows: Schools and attendance enforced:

SEC. 1. That all parents, guardians and other persons who have care of children, shall instruct them, or cause them to be instructed, in reading, spelling, writing, English grammar, geography and arithmetic, and every parent, guardian or other persons having control and charge of any child between the ages of eight and fourteen years, shall be required to send any such child or children to a public or private school for a period of not less than twenty weeks in city districts, in each school year, commencing September 1, ten weeks of which, at least, shall be consecutive, which shall commence within the first four weeks of the first term of the school year; and in special, village and township districts, not less than sixteen weeks in each school year, eight of which shall be consecutive, unless such child or children are excused from such attendance by the superintendent of the public, private or parochial schools in cities, or by authority of the board of education in village, special and township districts, when it shall have been shown to the satisfaction of said superintendent, or said board, that the physical or mental condition of such child or children has been such as to prevent his, her, or their attendance at school, or that said child or children are taught at home by some qualified person or persons in such branches as are usually taught in primary schools; and in case the said board or superintendent refuse to grant such excuse from attendance, the parent or guardian of such child or children shall have the right to appeal from the decision of the board to the probate court of the county, on giving a bond, within ten days after such decision, to the approval of said court, to pay all costs made therein, and the decision of said court in the matter shall be final; provided, that all youth between eight and sixteen years of age, not

Branches in which children to be instructed.

Attendance required in city districts.

In special, village and township districts.

Excuse from such attendance.

Appeal in case of refusal to excuse.

Children required to attend for full term.

engaged in some regular employment, shall attend school for the full term the schools of the district in which they reside are continued in the school year, unless excused for the reasons named in this section, and if the parents or guardians having legal charge of such youth shall fail to send these youth to school regularly for said full term, or said youth shall absent themselves from school without satisfactory excuse, said parents and guardians and said youth shall be subject to the provisions and penalties of section 8 of this act.

Penalties.

Repeals.

SECTION 2. That said section 1 of an act entitled "An act to compel children under fourteen years of age to attend school a certain length of time each year," of the Revised Statutes of the state of Ohio, passed April 25, 1890, be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892.
325G

[House Bill No. 643.]

AN ACT

To amend sections 2267, 2328, 2329, 2330, 2332 and 2333 of the Revised Statutes of Ohio.

Assessments:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 2267, 2328, 2329, 2330, 2332 and 2333 of the Revised Statutes of Ohio, be and the same are hereby amended so as to read as follows:

Requirements for special assessments, etc.

Sec. 2267. No public improvement, the cost or part of the cost of which is to be specially assessed on the owners of adjacent property, and no order appointing assessors of damages, or confirming their report, shall be made without the concurrence of the council, and it shall be essential that two-thirds of the whole number of the members elected to the council concur, unless two-thirds of the owners to be charged petition in writing therefor; and in villages not situate in a county containing a city of the first class, no special assessment shall be made except for sidewalks and gutters, unless it first receives the assent, in writing, of a majority of the owners to be charged therewith.

Certain villages.

Construction, repair and cleaning of sidewalks and gutters in municipalities.

Sec 2328. The council shall provide, by ordinance, for the construction and repair of all necessary sidewalks and gutters within the limits of the corporation, and may require, by the imposition of suitable penalties or otherwise, the owners and occupants of abutting lots and lands to keep the sidewalk and gutter in repair, free from snow or any nuisance;

provided, however, that in cities of the first class all duties and powers herein otherwise imposed on or conferred upon council in relation to sidewalks or the construction or repair of the same, shall be exercised by the board of public affairs of any such city; and it shall not be necessary to have the action or concurrence of council in any of said proceedings.

Cities of the first class.

Sec. 2329. When the council, board of improvements or board of public works, as the case may be, declares by resolution that certain specified sidewalks or gutters shall be constructed or repaired, the mayor, or board of public works where there is such a board, upon being advised thereof, shall cause a written notice to be given to the owner or agent of the owner of each parcel of land abutting on such sidewalk or gutter who may be a resident of such city or village and can be found (of the passage of such resolution), and shall return a copy of such notice, with the time and manner of service indorsed thereon and signed by the officer serving the same, to the clerk of the corporation, who shall file and preserve the same in his office; and such return shall have the like force and effect as the sheriff's return on a summons in a civil action; provided, that when it shall come to the knowledge of the city commissioner or such other officer as the council may, by resolution designate, that any dangerous defect exists in any sidewalk, the total cost of repairing which [is]to be charged to any one parcel of land shall not exceed five dollars, it shall be sufficient for and the duty of such officer to forthwith, in like manner and with like effect, serve and return a notice to the owner of such land or his agent, stating that if such repair be not made within three days by such owner, the same will be made at his expense, at a reasonable cost to be stated in the notice, and that if said cost be not paid to the clerk of the corporation within fifteen days after such repair is made, the same will be charged against said land as taxes; and if such repair be not made within such three days, such designated officer shall forthwith repair the same and report the fact to the clerk, who shall thereafter certify the sum named in the notice, if not paid within such fifteen days, to the county auditor for taxation, but such sum shall be in each case a reasonable charge for the materials furnished and the work performed. And if it appear in the return in any case that such owner is a non-resident, or that neither such owner or agent can be found, then notice may be given by publication in some newspaper of general circulation in the corporation.

Notice to owners of abutting property to construct or repair sidewalks or gutters.

Return and filing of copy of notice.

Force and effect of return.

Notice to repair certain dangerous defects in sidewalks.

Making of such repairs at owner's expense.

Notice to non-residents and persons not found.

Sec. 2330. If such sidewalks or gutters are not constructed within thirty days or are not repaired within ten days from the service of the notice or completion of the publication, the council or board may have the same done at the expense of the owner; and such expense shall constitute a lien upon the property bounding or abutting thereon, and shall be collected in the same manner, with a penalty of twenty per cent. and interest after failure to pay at the time fixed for the payment of the assessment as in other cases of improvement.

Construction or repair of sidewalks or gutters at owner's expense.

Construction of sidewalks or gutters on one side only.

Sec. 2332. If the board of public works, board of improvements, council or trustees of any municipal corporation deem it necessary to construct a sidewalk or gutter on one side only of any street, alley, turnpike or plank road with proper crossings from one side to the other, it shall be lawful to assess and collect the charge for constructing or repairing such sidewalk, gutter and crossings on the owners of the lots or lands abutting on both sides of such street, alley or road in like manner as if such sidewalk and gutter had been constructed on both sides; but after a sidewalk or gutter is so constructed, if it is deemed necessary to construct a sidewalk or gutter on the other or corresponding side of such street, alley or road, the charge therefor shall also be assessed on the owners of the lots and lands on both sides.

Construction on other side.

Exemption of property for construction of sidewalks or gutters.

Sec. 2333. Nothing in this chapter shall be so construed as to tax property for the purpose of constructing any sidewalk or gutter, the owners of which have constructed and maintained sidewalks and gutters in front of such property, as ordered by the council or board.

Repeals.

SECTION 2. That said original sections 2267, 2328, 2329, 2330, 2332 and 2333, as amended, etc., be and the same are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892
326G

[House Bill No. 660.]

AN ACT

To amend an act passed April 1, 1891 (88 O. L., p. 258), entitled "An act relative to erecting a memorial tablet to mark the achievements of the eighth Ohio volunteer infantry on the battle-field of Gettysburg."

Preamble.

WHEREAS, A tablet is to be erected on the battle-field of Gettysburg to mark the spot known as the high water-mark of the rebellion, the same being the farthest limit reached by Longstreet's charge on Cemetery Ridge during the afternoon of July 3, 1863; and

WHEREAS, The said tablet will be inscribed with the names of the regiments which took part in repulsing said charge, and will be paid for by contributions from the different states represented by the said regiments; and

WHEREAS, On the occasion of said charge the eighth Ohio volunteer infantry, commanded by Col. Franklin Sawyer, and battery I, first Ohio artillery, commanded by Captain Dilger, performed conspicuous and gallant service by attacking the charging column in flank, capturing many prisoners and battle-flags; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That from any moneys in the treasury of the state not otherwise appropriated, the sum of four hundred dollars be and the same is hereby appropriated as a contribution from the state of Ohio for the erection of said tablet, said sum to be paid to the treasurer of the battle-field memorial association at Gettysburg, whenever said tablet, with inscriptions suitably commemorating the services of the eighth Ohio volunteer infantry and battery I, first Ohio artillery, on the afternoon of the 3d day of July, 1863, and the tablet shall be completed to the satisfaction of said battle-field memorial association of the state of Ohio. Appropriation for memorial tablet at Gettysburg.

SECTION 2 Any money heretofore paid to said battle-field memorial association under the provisions of said entitled act to be first deducted from said sum of four hundred dollars before payment aforesaid under this act is made. Deduction of money heretofore paid.

SECTION 3. That said above entitled act, passed April 1, 1891 (88 O. L., p 258), be and the same is hereby repealed. Repeals.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.

ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892.
327G

[House Bill No. 668.]

AN ACT

Authorizing the board of public works to pay certain liabilities.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of public works be and are hereby authorized to pay out of any money heretofore appropriated for the purposes and uses of the board of public works, the following liabilities: Payment of liabilities by board of public works.

To Hosea Fisher, damage from overflow from Canal Dover, one hundred dollars ($100).

To John Stasel, damage from overflow near Newark, one hundred dollars ($100).

Annie Graham, damage from overflow near Dresden, two hundred and fifty dollars ($250).

Roe and Cooper, damage from overflow near Newark, eighty-five dollars ($85).

John Roe, damage from overflow near Newark, fifty dollars ($50).

Henry Mack, damage from overflow on Beaver river near Celina, eighty-five dollars ($85).

W. J. Finley, damage from overflow on Beaver river near Celina, thirty-five dollars ($35).

Payment of liabilities by board of public works.

John Keeler, damage from overflow on Beaver river near Celina, one hundred and thirty-five dollars ($135).

John Stollberger, damage from overflow on Beaver river near Celina, ninety dollars ($90).

Toueville and others, damage from overflow on Beaver river near Celina, one hundred and sixty-five dollars ($165).

H. S. Emerson, for earth taken to repair break in the Ohio canal near Coshocton, one hundred and fifty dollars ($150.)

Robert Crawford, for earth taken to repair break in the Ohio canal near Coshocton, twenty-five dollars ($25).

John Paul, damage to boat, one hundred dollars ($100).

D. A. Austin, legal services, five hundred dollars ($500).

John W. Higgins and John Washburne, legal services, one hundred and eighty-three dollars and thirty cents ($183.30).

John W. Washburne and F. E. Dougherty, legal services, seventy-five dollars ($75).

Earnhart, Butler and Co., legal services, four hundred and fifty dollars ($450).

For damages caused by overflow of Beaver river, as adjusted:

Michael Fisher, fifty dollars ($50).

Mercer county infirmary, thirty five dollars ($35).

Frank Puthoff, eighty dollars ($80).

McDonald heirs, forty dollars ($40).

Joseph McDonald, ninety dollars ($90).

Hezekiah Trenary, fifty dollars ($50).

Mrs. M. L. Richardson, one hundred and eight dollars ($108).

F. R. Trenary, sixty-five dollars ($65).

Susan E. Miller, two hundred and fifty dollars ($250).

William Foresman, for stripping the Ohio state dam, Circleville, as per contract, for the years 1886, 1887, 1888, 1889, 1890 and 1891, twelve hundred dollars ($1,200).

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.

ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892.

328G

[House Bill No. 681.]

AN ACT

To amend sections 2864 and 2870 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assemb'y of the State of Ohio*, That sections 2864 and 2870 of the Revised Statutes of Ohio be amended so as to read as follows: Delinquent lands:

Sec. 2864. Each county auditor shall cause the list of delinquent lands in his county to be published weekly for two weeks, between the twentieth day of December and the third Tuesday in January, except in counties containing a city of the second grade of the first class, in which such list shall be published between the twentieth day of December and the first Tuesday in February, in one newspaper in the English language and no more, printed and of general circulation in his county, and also in one newspaper of the German language, if there shall be printed and published a newspaper in the German language and of general circulation therein, and if no paper be printed therein, then in some newspaper in the English language having general circulation in his county, to which list there shall be attached a notice that said delinquent lands will be sold by the county treasurer, as provided in section twenty-eight hundred and seventy, which said notice shall be in substance as follows, that is to say: Publication of list of delinquent lands. Cuyahoga county.

DELINQUENT TAX SALE.

The lands, lots and parts of lots returned delinquent by the treasurer of ——— county. together with the taxes and penalty charged thereon agreeably to law, are contained and described in the following list, viz.: [Here insert the list with the name or names of the owner or owners of the said respective tracts of land or town lots, as the same are designated on the duplicate]; and notice is hereby given that the whole of said several tracts, lots or part of lots, or so much thereof as may be necessary to pay the taxes and penalty charged thereon, will be sold by the county treasurer, at the court-house in said county, on the third Tuesday of January next, unless said taxes and penalty be paid before that time, and that the sale will be continued from day to day until the several tracts, lots and parts of lots, shall have been sold or offered for sale. Notice of sale.

———————, *County Auditor.*

Sec. 2870. The county treasurer or his deputy shall attend at the court-house in his county, on the third Tuesday in January, in conformity with the notice prescribed in section twenty-eight hundred and sixty-four, and shall then and there at and after the hour of ten in the forenoon, proceed to offer for sale, separately, each tract of land, or city or town lot, or part of lot, contained in said advertisement, on which the taxes and penalty shall not have been paid; and the person or persons offering at said sale to pay the taxes and penalty charged on such land, lot or part of lot, for the least quantity thereof, shall be the purchaser or purchasers of such quantity; and the treasurer shall continue such sale from day Sale of delinquent lands.

to day until each tract, lot or part of lot contained in such advertisement on which the taxes and penalty remain unpaid, shall have been sold or offered for sale. Provided, that in counties containing a city of the second grade of the first class, the sale of lands on which the taxes and penalty shall not have been paid, shall begin on the first Tuesday of February, and the sale thereof shall continue from day to day until each tract, lot or part of lot contained in such advertisement on which the taxes and penalty remain unpaid, shall have been sold or offered for sale.

Cuyahoga county.

Repeals.

SECTION 2. That said sections 2864 and 2870 are hereby repealed.

SECTION 3 This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.

ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892.
329G

[House Bill No. 696.]

AN ACT

To regulate burdens upon county roads in counties having at the federal census of 1890 a population of not more than 39,420 and not less than 39,410.

Regulations as to width of tires (Jefferson county).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That in any county in this state, having at the federal census of 1890 a population of not more than 39,420 and not less than 39,410, the county commissioners shall have power to enforce the following regulations as to burdens hauled over all free turnpikes or improved county roads, viz.: For vehicles carrying a burden of over one thousand pounds and not over thirteen hundred pounds, one-and-one-half-inch tire shall be used; for vehicles carrying a burden of thirteen hundred pounds and not over seventeen hundred pounds, a one-and-three-quarter-inch tire shall be used; for [vehicles] carrying a burden of seventeen hundred pounds and not over two thousand pounds, a two-inch tire shall be used; for vehicles carrying a burden of two thousand pounds and not over twenty-five hundred, a three-inch tire shall be used; for vehicles carrying a burden of twenty-five hundred and not over thirty-five hundred, a three-and-one-half-inch tire shall be used; for vehicles carrying a burden of thirty-five hundred pounds and not more than forty-five hundred, a four-inch tire shall be used; for vehicles carrying a burden of forty-five hundred pounds and not more than fifty-five hundred pounds, a four-and-one-half-inch tire shall be used; for vehicles carrying a burden of fifty-five hundred pounds and not over sixty-five hundred, a five-inch tire shall be used; for vehicles

carrying a burden of sixty-five hundred pounds or over, a six-inch tire shall be used. Fast locking and rough locking prohibited. Locking prohibited.

SECTION 2. The county commissioners of any such county shall, at the first regular meeting after the passage of this act, agree upon the enforcement of the provisions of this act and enter their proceedings upon record, and shall thereupon give notice by publication that it will be enforced from and after June 1, 1892. Enforcement of act.

SECTION 3. It shall be the duty of any constable, marshal or other officer having police power to arrest any person found violating any of the provisions of this act, who shall be fined not less than five nor more than twenty-five dollars, with costs, by any mayor or justice of the peace in said county. Arrest and punishment of violator.

SECTION 4 This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892.
330G

[House Bill No. 656.]

AN ACT

Making appropriations to pay deficiencies and liabilities existing prior to February 15, 1892.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the following sums are appropriated, out of any moneys in the treasury to the credit of the general revenue fund, not otherwise appropriated to pay deficiencies and liabilities as herein specified, existing prior to February 15, 1892, to-wit: Appropriations for payment of deficiencies and liabilities.

Adjutant-General's Department:

Salary, regular laborers, one hundred and ten dollars ($110.00).

Salary, superintendent of arsenal, twelve dollars and fifty cents ($12.50).

Materials and repairs, one hundred and forty-seven dollars and forty cents ($147.40).

To pay expenses of court of inquiry at Cincinnati, two hundred and sixty-nine dollars and seventy-five cents ($269.75).

To J. C. Edmundson for making returns of clothing, equipage and ordnance stores to the U. S. government, twenty-five dollars ($25.00).

Fireman, thirty-six dollars and twenty-five cents ($36.25).

Transcribing clerks, seventy-three cents ($.73).

Appropriations for payment of deficiencies and liabilities.

State Board of Agriculture:

Carpets and furniture, sixty-eight dollars and eighty-eight cents ($68.88).

Agricultural Experiment Station:

Expenses of board of control, one hundred and seventy-two dollars and twenty-four cents ($172.24).

Archæological and Historical Society:

For care of Fort Ancient, cleaning grounds, repair of fences, etc., five hundred dollars ($500.00).

Expenses of trustees, eighty-eight dollars and ninety cents ($88.90).

Expenses of secretary, seventy-five dollars ($75.00).

Incidental expenses, fifty dollars ($50.00).

Attorney-General:

Contingent expenses, one hundred and fifty dollars ($150.00).

Commissioner of Common Schools:

Contingent expenses, five dollars and thirty-four cents ($5.34).

Expenses of state board of school examiners, fifty dollars ($50.00).

For state school-book board, one thousand five hundred and fifty-five dollars ($1,555.00).

Executive Department:

Contingent expenses, nine hundred and ninety-eight dollars and ninety-one cents ($998.91).

For type-writer, ninety-five dollars ($95.00).

State Library:

Contingent expenses, one hundred and eighty-four dollars ($184.00).

Inspector of Workshops and Factories:

Traveling expenses of chief inspector, three hundred dollars ($300.00).

Traveling expenses of district inspectors, five hundred dollars ($500.00).

Contingent expenses, two hundred dollars ($200.00).

Supervisor of Public Printing:

The Westbote Company, seven thousand nine hundred and eighty-two dollars and twenty-four cents ($7,982.24).

Myers Brothers, five hundred and fifty-one dollars and ninety-seven cents ($551.97).

Short & Forman, six hundred and nineteen dollars ($619.00).

Gazette Printing Co., two hundred and forty-nine dollars and fifty cents ($249.50).

Burguy & Co., twenty dollars ($20.00).

Athens Asylum fo the Insane:

Ordinary repairs, fifteen hundred dollars ($1,500.00).

Appropriations for payment of deficiencies and liabilities.

Columbus Asylum for the Insane:

Current expenses, fourteen thousand nine hundred and twenty-three dollars and eighty-five cents ($14,923.85).

New dining hall, three thousand dollars ($3,000 00).

Salaries, one hundred and forty-eight dollars and twenty-four cents ($148 24).

Dayton Asylum for the Insane:

For congregate dining halls, fifteen thousand dollars ($15,000.00).

Institution for Feeble-Minded Youth:

C. E. Morris & Co., one hundred and twenty dollars ($120.00).

Chas. T. Histler, one hundred and twenty-one dollars and eleven cents ($121.11).

Consolidated Roofing Works, sixty-one dollars ($61.00).

Institution for the Blind:

Salaries, forty-four dollars and sixty-three cents ($44 63).

Soldiers' and Sailors' Orphans' Home:

Services in chapel, two hundred and forty-seven dollars ($247.00).

For support of orphans outside, one thousand and seventy-three dollars and sixty cents ($1,073.60).

Canal Commission:

Expenses of commission for service, employes, etc., three thousand nine hundred and sixty-six dollars and one cent ($3,966.01).

Board of Health:

For making investigations and analysis of Ohio river water and pollutions thereof, seven hundred and thirty-six dollars and sixty cents ($736.60).

Ohio Penitentiary:

Salaries of guards, five thousand eight hundred and thirty-six dollars and sixty-seven cents ($5,836.67).

Manufacture of gas, one thousand five hundred and ninety seven dollars and twenty-three cents ($1,597.23).

Rewards to convicts, nine hundred and sixty-two dollars and fifty-nine cents ($962.59).

Expenses of executions, one thousand and ten dollars ($1,010.00).

Moral and religious instruction, three dollars and thirty-two cents ($3.32).

Repairs of laundry, ninety-one dollars and ninety-six cents ($91.96).

Appropriations for payment of deficiencies and liabilities.

Prosecutions and transportation of convicts, twenty-six thousand two hundred and six dollars and seventy-seven cents ($26,206.77).

Boys' Industrial School:

Current expenses, two thousand eight hundred and eighty-four dollars and twenty-five cents ($2,884.25).

Working Home for the Blind:

Repair of buildings, twelve hundred dollars ($1,200.00).
Boiler and pumps, four hundred dollars ($400.00).
Engineer, one hundred dollars ($100.00).
Repairing laundry, two hundred dollars ($200.00).
New cook stove, two hundred dollars ($200.00).
Covering steam pipes, three hundred dollars ($300.00).
Trustees' expenses, one hundred dollars ($100 00).

Institution for Deaf and Dumb:

For plumbing expenses, one thousand six hundred and six dollars and seventy-two cents ($1,606.72).
Carpets and furniture, four hundred dollars ($400 00).

Board of Public Works:

Miami and Erie canal, ten thousand dollars ($10,000.00).
Northern division Ohio canal, five thousand dollars ($5,000.00).
Southern division Ohio canal, ten thousand dollars ($10,000 00).
Hocking canal, three thousand dollars ($3,000.00).

Clerk of Supreme Court:

Type-writer and desk, one hundred and twenty-five dollars ($125.00).

Miscellaneous:

To pay J. S. Abbott & Co., post-office outfit for the house, six hundred and forty-two dollars and twenty cents ($642.20).
To pay J. S. Abbott & Co., for repairs (house), two hundred and twenty-four dollars and eight cents ($224.08).
To pay George C. Krauss, carpets, matting, etc., three hundred and thirty-three dollars and twenty cents ($333.20).
To pay Ohio Furniture Co, furniture, seven hundred and forty dollars and thirty cents ($740.30).
To pay George Seltzer, for repairs, thirty-three dollars and seventy five cents ($33 75)
To pay Aston & Huff, for supplies, three hundred and forty-two dollars ($342.00).
To pay Bowe & Beggs, for carpets and paper, forty-three dollars and ten cents ($43.10).
To pay Dundon & Bergin, for lumber, ninety-one dollars and forty-seven cents ($91.47).
To pay Clark & Allen, plastering, two hundred and forty-two dollars and eighty-five cents ($242.85).
To pay H. A. Linthwaite, for architectural services, twenty dollars ($20.00).

Appropriations for payment of deficiencies and liabilities.

To pay J. M. & W. Westwater, for supplies, one hundred and three dollars and seventy-five cents ($103.75).

To pay Louis Fink, for painting, two hundred and forty-two dollars and sixty-five cents ($242.65).

To pay Charles A. Klie, for plumbing, seventy-two dollars and ten cents ($72.10).

To pay George Reiley, services rendered in the care of both houses, forty-six dollars ($46.00).

To pay James Lewis, services rendered in the care of both houses, forty-six dollars ($46.00).

To pay John W. Warrington, on account in full of professional services rendered as attorney in the case of the state of Ohio vs. the Standard Oil Co., thirteen hundred dollars ($1,300.00).

To pay the Columbus Edison Electric Light Co., three lamps, forty dollars and fifty cents ($40.50).

To pay the Columbus Edison Electric Light Co., changing wires to main switch and running additional wires, seventy-four dollars and fifty-five cents ($74.55).

J. S. Abbott & Co., post-office outfit for senate, three hundred and seventy-seven dollars and twenty cents ($377.20).

J. S. Abbott & Co., repairs, paints, etc., one hundred and seventy-nine dollars and twenty-three cents ($179.23).

Western Electric Light Co., material and labor, one hundred and fifty dollars and seven cents ($150 07).

B. F. Thomas, material for repairing reflectors in ceiling of senate and house of representatives, three hundred and twenty-six dollars and twenty-five cents ($326.25).

SECTION 2. The moneys appropriated by this act shall only be paid out on vouchers approved by the governor.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892.
331G

[House Bill No. 730.]

AN ACT

To amend sections 6053, 6054, 6057 and 6058 of the Revised Statutes of Ohio.

Executors and administrators:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That sections 6053, 6054, 6057 and 6058 of the Revised Statutes of Ohio be so amended as to read as follows:

Proceedings when property of estate concealed, or embezzled.

Sec. 6053. Upon complaint made to the probate court or the court of common pleas of any county, by the executor, administrator, devisee, legatee, heir or other person interested in the estate of any deceased person, or by the creditor of

within sixty days after service of such notice upon the owner, or if he be absent from the county then upon his agent, or if such agent be not found then upon the occupant of the premises, such order is not complied with, upon application to a court of competent jurisdiction the owner and occupants shall be enjoined from using such premises in any manner until the order of the board of administration has been complied with.

Repeals, etc.

SECTION 2. That said section 2402 is hereby repealed; and this act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892.
333G

[House Bill No. 811.]

AN ACT

To authorize any village which had at the last federal census a population of not less than 4,110, or which may have at any subsequent federal census a population of not more than 4,120, to issue bonds and borrow money to construct a system of sewerage in said village.

Bonds for construction of system of sewerage (West Cleveland).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of any village which had at the last federal census a population of not less than 4,110, or which may have at any subsequent federal census a population of not more than 4,120, in the state of Ohio, be and they are hereby authorized and empowered to issue the bonds of said village, in any sum not exceeding eighty thousand dollars, that may be necessary to construct a system of sewerage in said village. Said bonds shall be issued upon due and legal notice being given from time to time, as the exigencies of the work of constructing said system of sewerage demand, in such denominations and payable at such times, not exceeding thirty years from their date, and at such place and at such rate of interest, not exceeding six per centum per annum, payable semi-annually, as the council may by ordinance determine, and shall state on their face the number of the sewer district on account of which they were issued, and shall be sold to the highest bidder, at not less than their face value, together with accrued interest thereon. The proceeds of said bonds shall be paid into the village treasury and be applied to the construction of sewers in the sewer district on account of which said bonds were issued, respectively, and to no other purpose. Said bonds shall be signed by the mayor, countersigned by the clerk, and authenticated by the seal of said village; provided, that the council may anticipate the payment of local assessments made for the construction of sewers in any street, by the issue of notes of the village, as in other cases.

Anticipation of local assessments.

SECTION 2. That for the purpose of paying said bonds and the interest thereon as they become due, the village council is hereby empowered and directed to levy annually on all the taxable property of the sewer district, on account of which said bonds were issued, a tax sufficient to pay the interest on all the bonds belonging to such sewer district, and also the bonds of such sewer district falling due that year, which tax may be in addition to taxes now allowed by law. Such levy shall be placed on the tax duplicate by the county auditor and be collected as other taxes, and be paid to the village treasurer. Additional tax levy.

SECTION 3. Before the village council shall issue said bonds or levy said tax the proposition shall be submitted to a vote of the qualified electors of said village at any general or municipal election, or at a special election that may be called for that purpose by the council, of which ten days' notice shall be given by the mayor in two newspapers of general circulation in said village, and if a two-thirds majority of all the votes cast at such election are in favor of issuing said bonds, then, and not otherwise, shall the council of said village be authorized to issue said bonds and levy said tax, as herein provided. Those voting in favor of the issue of said bonds shall have written or printed on their ballots the words "For the issue of bonds—Yes;" and those voting against the issue of bonds shall have written or printed on their ballots the words "For the issue of bonds—No." Question to be submitted to voters.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892.
334G

[House Bill No. 821.]

AN ACT

Conferring upon women's christian associations incorporated under the laws of Ohio, all the powers and authority conferred upon children's homes incorporated under the laws of this state.

WHEREAS, Some of the women's christian associations, incorporated under the laws of this state, in pursuance of the humane and benevolent purposes of their organization, have established and maintained branches or departments known as retreats for aiding [and assisting] betrayed women, and redeeming the fallen, and in which children are born and abandoned or deserted by their parents; and Preamble.

WHEREAS, At present, no adequate means are provided whereby such children can be placed in and adopted by families where they will be provided with proper support, education and training, and proper supervision maintained over them after they have been so placed; therefore,

Women's christian associations empowered to procure homes for children.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That every women's christian association now or hereafter incorporated under the laws of the state of Ohio, having and maintaining a branch or department as a retreat for unfortunate or fallen women, shall have, and they are hereby vested with, all the powers and authority conferred upon children's homes, incorporated under the laws of this state, in placing, indenturing, and procuring the adoption in private families of children who are born in such retreats of the inmates thereof, and who are abandoned or deserted by their parents, and the supervision over them after they have been so placed or adopted.

SECTION 2. This act shall take effect on and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892.
335G

[House Bill No. 828.]

AN ACT

To amend section 2505*b* of the Revised Statutes of Ohio, as enacted May 1, 1891.

Street railroads:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2505*b* of the Revised Statutes be amended so as to read as follows:

Consolidation of street railroad corporations.

Sec. 2505*b*. Whenever the lines or authorized lines of road on [of] any street railroad corporations or companies meet or intersect, or whenever any such line of any street railroad corporation or company, and that of any inclined plane railway or railroad corporation, or any company or any railroad operated by electricity may be conveniently connected to be operated to mutual advantage, such corporations or companies, or any two or more of them, are hereby authorized to consolidate themselves into a single corporation, or, whenever a line of road of any street railroad company or corporation organized in this state is made, or is in process of construction, to the boundary line of the state, or to any point either in or out of the state, such corporation or company may consolidate its capital stock with the capital stock of any corporation or company, or corporations or companies, in an adjoining state, the line or lines of whose road or roads have been made, or are in process of construction, to the same point or points, in the same manner and with the same effect as provided for the consolidation of railroad companies in sections 3381 (as amended), 3382, 3383 (as amended), 3384, 3385, 3386, 3387, 3388, 3389, 3390, 3391, 3392 and 9805 of the Revised Statutes, and in any and all acts amendatory and supplementary to said sections and each of them; and the said sections so amended and supplemented are adopted and

Consolidation of domestic with foreign corporations.

made to be part of this section; or any such corporation may purchase and own all or any part of the capital stock of any such corporation or company, corporations or companies, in an adjoining state. Purchase of capital stock of foreign corporations.

SECTION 2. Section 2505*b* of the Revised Statutes of Ohio, as enacted May 1, 1891, be and the same is hereby repealed; and this act shall take effect and be in force from and after its passage. Repeals, etc.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892.
336G

[House Bill No. 833.]

AN ACT

To amend section 3 of "An act to prevent the making of deficiencies in the public institutions and departments of the state of Ohio," passed March 11, 1889.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 3 of an act to prevent the making of deficiencies in the public institutions and departments of the state of Ohio, passed March 11, 1889, be and the same is hereby amended so as to read as follows: Deficiencies in public institutions and departments of the state:

Sec. 3. In case of an emergency requiring the expenditure of a greater sum than the amount appropriated by the general assembly for such institution or department in any one year or for the expending of money not specifically provided for by law, there is hereby created an emergency board consisting of the governor, auditor of state, attorney-general, chairman of the house finance committee, and chairman of the senate finance committee, to authorize deficiencies to be made. The governor shall be the president and the chairman of the house finance committee shall be the secretary of the board. The secretary will keep a complete record of all the proceedings. Any officer contemplated in this act desiring to ask authority to create a deficiency will notify the secretary in writing setting forth fully the facts in connection with the case. As soon as can be done conveniently the secretary will arrange for a meeting of the board, and will notify the officer of the time and place of meeting and requesting his presence. Before a permit is granted it must have the approval of not less than four members of the board who shall sign the same. The necessary expenses of the chairmen of the senate and house finance committees while engaged in the duties herein specified shall be paid out of the fund for expenses of legislative committees upon itemized vouchers approved by themselves, and the auditor of state is hereby authorized to draw his warrant upon the treasurer of state for the same. Emergency board. President and secretary. Record of proceedings; manner of creating deficiencies. Expenses of chairmen of finance committees.

Repeals.

SECTION 2. Said original section 3 is hereby repealed.

SECTION 3. This act shall take effect on its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892.
337G

[House Bill No. 838.]

AN ACT

Authorizing county commissioners of counties not having work-houses to release on parole indigent prisoners confined in jail for fines and costs.

Parole of prisoner confined in jail for fine and costs in county not having work-house.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of any county in this state not having a work-house, be and the same are hereby authorized and empowered to release on parole any indigent prisoner confined in the jail of such county for fine and costs alone; the parole in every such case to be in writing, signed by the prisoner so released, and conditioned for the payment of the fine and costs by the prisoner released in labor or money in installments or otherwise, and shall be approved by the prosecuting attorney of such county.

Arrest and recommitment of violator of parole.

SECTION 2. When any person released under the provisions of section one of this act fails to comply with the conditions of the parole upon which he was released, the county commissioners of the county in which such person was released shall give notice thereof in writing to the sheriff of such county, who shall thereupon immediately arrest such person wherever found in this state and recommit him to the jail of such county therein, to be confined until said fine and costs are paid or he is otherwise legally discharged.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892.
338G

[House Bill No. 841.]

AN ACT

To authorize the trustees of any township in any county which, at the last federal census had, or at any succeeding federal census may have a population of not less than twenty-nine thousand and fifty, and not exceeding twenty-nine thousand eight hundred, to improve public roads, levy taxes therefor and issue bonds in anticipation of such taxes.

Township highway improvement bonds (Van Wert county).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of any township in any county, of this state, which, at the last federal census, had or which, at any subsequent federal census, shall have a population not less than twenty-nine thousand and fifty and not exceeding twenty-nine thousand and eight hundred, shall have power to issue the bonds of such townships, respectively, in any sum not exceeding twelve (12) per cent. of the valuation as shown by the last tax duplicate, bearing interest at a rate not exceeding six per cent. per annum from the date of issue, payable semi-annually, for the purpose of improving the highways in such townships, respectively.

Issue, sale and redemption of bonds.

SECTION 2. Said bonds shall be signed by the trustees of such township and countersigned by the clerk; and shall not be sold for less than par value; the principal shall be payable after ten years from the date of the issue of said bonds, in annual installments, of not less than ten per cent. of the bonds so issued; and the said trustees are hereby authorized to levy a tax on all the taxable property of such township to pay said bonds and interest thereon as the same becomes due, and the funds so realized from the sale of said bonds shall be used by the trustees of such township for no other purpose than that specified in section 1 of this act.

Levy of tax.

Application of proceeds of bonds.

Examination of roads to be improved.

SECTION 3. The board of trustees of such township after having determined which roads are to be improved, shall examine such roads and ascertain if the proposed roads are sufficiently graded and drained; and if such be not the case, then they may take to their assistance a competent surveyor or engineer, whose duty it shall be to make, under the direction of the board of trustees, a survey and level of the roads selected, fix the grade of the road and the grade and capacity of the drains on the side thereof. The trustees shall cause to be constructed all necessary culverts on such roads, fix the width of the graveled or macadamized track not less than nine feet nor more than sixteen feet wide, and the depth thereof not less than eight inches nor more than twelve inches in the center, and the slope from the center to the sides. The trustees may consolidate the road districts through which any such road improvement passes, and direct the supervisors of such road district to work the two days' labor in such district, and in such manner as shall be prescribed by the trustees.

Surveyor or engineer; duty.

Culverts; width and depth of track.

Consolidation of road districts; two days' labor.

Ordering and letting of improvement.

SECTION 4. A majority of the board of trustees shall be necessary to order the said improvement, and the work of construction and the furnishing of material for such road

improvement shall be publicly let, excepting such work as may be done by the supervisors of the road district as herein provided. The contracts for material to be used in the construction of said road improvement and the contracts for hauling said material upon the roads shall be let separately.

Contracts for material and hauling.

Notice of letting.

SECTION 5. The trustees, after having given public notice of the time and place for such letting, for at least two weeks, in a newspaper of general circulation in the township or county, or by handbills, or both, at the discretion of the board of trustees, specifying the kind and quality of the material, and the part of the road upon which the same is to be used, shall let the same to the lowest bidder, who shall give bond to the acceptance of the trustees. The bids for the material and for the work of hauling the same shall be separately stated, and the trustees may reject any or all bids. The trustees shall examine and accept the work when completed, and ascertain the amount of material furnished under the provisions of this act, and if found in all respects correct, shall draw an order for the amount due for work, or for material furnished, upon the township treasurer, which shall be countersigned by the township clerk.

Lowest bidder; bond; separate bids.

Rejection of bids; examination and acceptance of work; order for payment.

Overseer; compensation.

SECTION 6. The board of trustees may appoint one of their number or some other suitable person who shall oversee the work, and for the services rendered under the provisions of this act, such person shall be entitled to receive for each day actually employed, a sum not exceeding two dollars. And the trustees shall provide for the township clerk a suitable book in which there shall be kept a complete record of the business transacted under the provisions of this act, and it is hereby made his duty to keep a full and complete record of the action of the board of trustees under this act, and the township clerk, for making said record, shall be entitled to receive ten cents per hundred words, and for all other services such reasonable compensation as may be allowed by the board of trustees.

Township clerk's record and compensation.

Payment of fees.

SECTION 7. The fees of the township officers, the engineer, and the person who may be appointed by the board of trustees under the provisions of this act, shall be paid out of the township road fund. But before any payments shall be made for services rendered under the provisions of this act, the person entitled thereto shall make out and file with the township clerk an itemized account of his services, whereupon the trustees shall, if they find the same correct, draw an order on the township treasurer, countersigned by the township clerk.

Itemized accounts.

Order for payment.

Roads free to public travel; repairs.

SECTION 8. The roads graveled or macadamized under the provisions of this act shall be free to the public travel, and shall be kept in repair by the trustees, out of the funds that come into the township treasury from the county treasury, as provided for in section one thousand four hundred and fifty-nine (1459) of the Revised Statutes of Ohio.

Question to be submitted to voters.

SECTION 9. The question of issuing said bonds and levying said tax and the improvements of said roads of such township shall be submitted to a vote of the qualified electors of said township at a special or general election to be ordered

by the trustees of such township at the usual place of holding elections. Notice of said election to be posted up at least in five conspicuous places in such township at least ten days before said election. The tickets to be voted at said election shall have written or printed thereon the words, "Road improvement—Yes," or "Road improvement—No." And if the majority of those voting on said proposition are in favor of the same, then it shall be the duty of said trustees to make said levy as hereinbefore directed.

Exemption from taxation.

SECTION 10. Provided, that after the trustees of such township have made the levy and commenced and continue to improve the public highway as herein provided, the property in such township shall be exempt from any levy by the commissioners of said county for the purpose of constructing, maintaining or improving roads.

SECTION 11. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892.
339G

[House Bill No. 859.]

AN ACT

To amend section 3033, as amended April 28, 1886; section 3036, as amended April 28, 1886; section 3037, as amended April 28, 1886; section 3044, as amended April 28, 1886; section 3045, as amended April 28, 1886; section 3048, as amended April 15, 1889; section 3051, as amended April 28, 1886; section 3056, as amended April 28, 1886; section 3064, as amended April 28, 1886; section 3070, as amended April 28, 1886; section 3076, as amended April 28, 1886; section 3085, as amended April 28, 1886.

Militia:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 3033, as amended April 28, 1886; section 3036, as amended April 28, 1886; section 3037, as amended April 28, 1886; section 3044, as amended April 28, 1886; section 3045, as amended April 28, 1886; section 3048, as amended April 15, 1889; section 3051, as amended April 28, 1886; section 3056, as amended April 28, 1886; section 3064, as amended April 28, 1886; section 3070, as amended April 28, 1886; section 3076, as amended April 28, 1886; section 3085, as amended April 28, 1886; be so amended as to read as follows:

Active militia: how constituted and apportioned.

Sec. 3033. In times of peace the active militia shall consist of one hundred and two companies of infantry, eight batteries of artillery, and two troops of cavalry, to be allotted and apportioned in such localities of the state as the necessities of the service in the discretion of the commander-in-chief may require.

Infantry organization.

Sec. 3036. Each regiment of infantry shall consist of not more than twelve nor less than eight companies, and shall be formed into battalions of not less than three and not more than five companies each, and shall have a colonel, a lieutenant-colonel, one major for each battalion, a surgeon with rank of major, one assistant surgeon with rank of captain, a quartermaster with rank of first lieutenant, an inspector of rifle practice with rank of captain, a regimental adjutant with rank of first lieutenant, a chaplain and a non-commissioned staff, to consist of a sergeant-major, one quartermaster-sergeant, one commissary-sergeant, a hospital steward, two principal musicians, and a drum-major. A commander of a regiment may enlist a regimental band to consist of a leader and not more than twelve men for each battalion, and a hospital corps of not more than six men for each battalion. Each company shall consist of a captain, a first lieutenant, a second lieutenant, one first sergeant, four sergeants, eight corporals, two musicians, an armorer, and not less than thirty-two and not more than fifty-six privates.

Cavalry organization.

Sec. 3037. Each troop of cavalry shall consist of a captain, a first lieutenant, a second lieutenant, a chaplain and an assistant surgeon with rank of captain, one first sergeant, four sergeants, eight corporals, two trumpeters, two farriers, two blacksmiths, a saddler, a wagoner and not less than thirty nor more than eighty privates, and a non-commissioned staff consisting of a sergeant-major, a quartermaster-sergeant, a commissary-sergeant, a color-sergeant, veterinary-sergeant, a hospital steward, who may be enlisted as such.

Election and term of officers.

Sec. 3044. The officers of the national guard shall serve for the term of five years, unless sooner discharged, and shall be elected as follows: Field-officers of regiments and battalions by the written or printed votes of the officers and enlisted men of the respective regiments and battalions; captains and lieutenants by the written or printed votes of officers and enlisted men of the respective companies, troops and batteries.

Regulations governing such elections.

Sec. 3045. All meetings for the election of officers shall be ordered by the commander-in-chief, and shall be governed by such regulations as he may prescribe. Each officer shall be separately voted for, and any person receiving a majority of the votes of the electors present at such meeting shall be deemed elected; provided, that no election shall be held unless a majority of the electors be present and voting.

Rank of officers.

Sec. 3048. Officers shall take rank from date of commission; an officer who has served in the same grade continuously, either by reëlection or reappointment, shall take rank from the date of his first commission in that grade.

Dishonorable discharge.

Sec. 3051. An officer may be discharged by the commander-in-chief to carry out the sentence of a court martial.

Term of enlistment.

Sec. 3056. All enlistments in the active militia shall be for the term of five years, but all persons honorably discharged at expiration of term of service may be reënlisted for the term of one year. No enlisted man shall be discharged before the expiration of his term of service except by order

Discharge, and reasons therefor.

of the commander-in-chief, and for the following reasons: To accept promotion by commission; upon removal of residence from the state, or permanent removal to such distance from the command to which he belongs, that in the opinion of his commanding officer, he can not perform his military duty; upon disability, established by the certificate of a medical officer, whenever, in the opinion of the commander-in-chief, the interest of the service demands such discharge; to carry out the sentence of court martial; dishonorable discharge, or discharge in such form as to forbid reënlistment, shall be given only in accordance with the sentence of a general or regimental court martial. Every soldier discharged from the service of the state shall be furnished with a certificate of such discharge which shall state clearly the reasons therefor. The adjutant-general shall publish in his annual report the names of all officers and enlisted men dishonorably discharged during the period of the year.

Certificate of discharge.

Publication of dishonorable discharges.

Sec. 3064. The commanding officer of each regiment or battalion may appoint a regimental or battalion court martial, to consist of a field-officer, for the trial of offenses that are within the jurisdiction of a field-officer's court of the United States army; and the commanding officer of a company, troop or battery may appoint a court of discipline to consist of three enlisted men, who shall try and dispose of minor offenses of enlisted men. The findings of a court of discipline may be appealed to a field-officer's court.

Regimental and battalion courts martial.

Court of discipline.

Sec. 3070. The fatigue and dress uniform and overcoat of the officers and enlisted men shall conform and correspond with the uniform prescribed for the United States army, except the coat of arms, which shall be that of the state.

Uniforms.

Sec. 3076. Each company of national guard shall assemble for drill and instruction at least once each week, and the commanding officer of each regiment and battalion shall inspect each company of his command at least twice in each year, or detail a field-officer for that purpose. The commanding officer of each regiment and battalion shall call meetings of the commissioned officers of his command, at the place most convenient, at least once in each quarter for instruction in tactics, and customs of the service; but nothing in this section shall be construed as allowing compensation for attendance at such meetings

Company drills and inspections.

Instruction of commissioned officers.

Sec. 3085. The board of county commissioners of the county in which all or a majority of the officers and enlisted men of any regiment, battalion, company, troop or battery reside, shall provide for each organization a suitable armory for the purposes of drill and for the safe keeping of the arms, equipments, uniforms and other military property furnished by the state, subject to the inspection and approval of an officer detailed for such purpose by the commander-in-chief, and the expense of armories, including the necessary care of said armories, fuel and light, shall be paid either by the county wherein all the members of [any] such organization reside, or by counties in proportion as they have resident members of any such organizations.

Armories.

Repeals.

SECTION 2. Said original sections 3033, as amended April 28, 1886; 3036, as amended April 28, 1886; 3037, as amended April 28, 1886; 3044, as amended April 28, 1886; 3045, as amended April 28, 1886; 3048, as amended April 15, 1889; 3051, as amended April 28, 1886; 3056, as amended April 28, 1886; 3064, as amended April 28, 1886; 3070, as amended April 28, 1886; 3076, as amended April 28, 1886; 3085, as amended April 28, 1886, be and the same are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.

ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892.
341G

[House Bill No. 879.]

AN ACT

To amend section six of an act entitled "An act to provide for the better protection of human life against fire and to regulate the construction and management of steam boiler furnaces in cities of the first and second grades of the first class," passed March 27, 1889, and to amend section four of an act entitled "An act to regulate the construction of buildings within any city of the first class and of the first grade and to provide for the appointment of an inspector of buildings and to repeal an act passed March 21, 1887," passed February 28, 1888.

Steam boiler furnaces:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section six of an act entitled "An act to provide for the better protection of human life against fire, and to regulate the construction and management of steam boiler furnaces in cities of the first and second grades of the first class," passed March 27, 1889, be and the same is hereby amended so as to read as follows:

Provisions concerning supervising engineer (Cincinnati).

Sec. 6. The mayor of the city in every city of the first grade of the first class shall appoint a person of suitable qualifications as supervising engineer, who shall hold his office for the term of two years from and after the date of his appointment, and until his successor is appointed and qualified, and he shall have authority to supervise and require all steam boiler furnaces in such city of the first grade of the first class to be constructed, or if already constructed, to be so altered or have attached thereto such efficient smoke preventives so as to produce the most perfect combustion of the fuel or other material from which smoke results, and so as to prevent the production and emission of all smoke therefrom, and he shall further have authority to supervise the igniting, making, stoking, feeding and attending such steam boiler furnace fires, and he shall also have authority, in the performance of the duties of his office, to enter any steam boiler or engine room,

or any building not occupied exclusively as a private residence, and any person or persons hindering or obstructing him in the performance of such duties, shall be subject to a fine of not less than twenty (20) dollars nor more than fifty (50) dollars or imprisoned in the work-house for a period not exceeding thirty days.

Buildings.

SECTION 2. Section 4 of an act to regulate the construction of buildings within any city of the first class and of the first grade, and to provide for the appointment of an inspector of buildings, and to repeal an act passed March 21, 1887, as passed February 28, 1888, be and the same is hereby amended so as to read as follows:

Provisions concerning inspector (Cincinnati).

Sec. 4. It shall be the duty of the inspector of buildings appointed under the provisions of this act to inspect any building or structure which may be in the course of construction or alteration within the limits of said city, and to see that each building or structure is being constructed or altered according to the provisions of this act and all acts and ordinances in force in said cities; if the said inspector is served with a written notice by the owner, contractor or contractors of any building or structure to inspect said building in progress of construction or alteration, he or his deputies shall do so. And if said inspector or his deputy shall fail or neglect to attend within twenty-four hours after such written notice has been served upon him for that purpose, he shall forfeit and pay the sum of twenty ($20) dollars for each and every day he shall so fail or neglect to attend beyond 24 hours, which penalty shall be recoverable by an action at law in the name of said city for the use of the owners or contractors of said building. He shall also have authority to require the owners, or agents for owners, or lessees of all buildings more than two stories in height, not occupied or used exclusively as private residences, to provide any such building with fire-escapes, of such numbers, construction and material, and in such location as he may determine necessary to the protection of human life in case of fire; and after such determination by the inspector of buildings he may, at any time, by a notice served upon the owner, agent for the owner, or lessee of any such building, by leaving with such owner, agent for owner or lessee, or at his or their residence or place of business a copy of such notice, require such owner, or agent for owner, or lessee, or either of them, to cause such fire-escape to be placed upon such building within thirty days after the service of such notice; provided, however, that all buildings more than two stories high, used for manufacturing purposes, shall have one fire-escape for every twenty-five persons or less, employed above the second story, or a fire-proof stairway. In case the lessee, owner, or agent for owner, or either of them, so served with notice as aforesaid, shall not within thirty (30) days after the service of such notice upon him or them, place or cause to be placed, such fire-escape upon such building, as required by this article and the terms of such notice, he or they shall be subject to a fine of not less than [ten] ($10) dollars nor more than $100, and to a further fine of fifty ($50) dollars for each week of such neglect to

comply with such notice after the service of the same; and the said inspector of buildings shall also have power to enforce the provisions of this article by resort to any court having equity jurisdiction as provided in section 51 of the original act as passed April 16, 1888.

Repeals.

SECTION 3. Said section 6 of an act entitled "An act to provide for the better protection of human life, etc.," passed March 27, 1889, and said section 4 of an act entitled "An act to regulate the construction of buildings, etc.," passed February 28, 1888, be and the same are hereby repealed.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.

ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892.
342G

[House Bill No. 883.]

AN ACT

To authorize cities of third grade of the first class to issue bonds for the purpose of raising money to purchase additional sites, build additional engine-houses and purchase equipment for the use of the fire department, made necessary by such additional or new engine-houses, and pay the salaries and expenses of the increased force for one year.

Fire department bonds (Toledo).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of any city of the third grade of the first class be and the same is hereby authorized to issue the bonds of such city, in denomination of not more than one thousand dollars ($1,000) each, in the sum of sixty thousand dollars ($60,000) for the purpose of raising money to purchase the necessary sites and build thereon the necessary buildings for fire department purposes, and to purchase the necessary steam fire engines and equipments of all kinds for the use of such fire department; provided that not more than one-third ($\frac{1}{3}$) of said sum of sixty thousand dollars ($60,000) shall be used in the purchase of the sites and the erection of buildings thereon; and, also that a sufficient amount of money to provide for the payment of the salaries and expenses of the extra force made necessary by such increase of the department during the next ensuing year, shall be reserved out of the balance of said sum of sixty thousand dollars ($60,000).

Provisions relating to bonds.

SECTION 2. Said bonds shall be made payable at such time, not to exceed thirty (30) years after their issue, and bear such rate of interest, not to exceed four and one-half ($4\frac{1}{2}\%$) per centum per annum, payable annually or semi-annually, as said council may determine; they shall have written or printed upon them the date of the law under which they were issued and the words "fire department bonds" and shall be issued and sold as other bonds of said cities.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892.
343G

[House Bill No. 910.]

AN ACT

To amend section 2701 of the Revised Statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2701 of the Revised Statutes be amended so as to read as follows: Power to borrow money, etc.:

Sec. 2701. The trustees or council of any municipal corporation, for the purpose of extending the time of the payment of any indebtedness, which from its limits of taxation such corporation is unable to pay at maturity, or when it appears to the said trustees or council for the best interest of the said municipal corporation, shall have power to issue bonds of such corporation or borrow money so as to change but not to increase the indebtedness, in such amounts and for such length of time and at such rate of interest as the council may deem proper, not to exceed the rate of six per centum per annum, payable annually or semi-annually. Issue of bonds, etc., to extend time of payment.

SECTION 2. That section 2701 of the Revised Statutes be and the same is hereby repealed. Repeals.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892.
344G

[House Bill No. 912.]

AN ACT

To provide for the construction of new water-closets in the state-house.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the adjutant-general, secretary of the state board of health, and third assistant sergeant-at-arms of the house of representatives be and are hereby authorized to replace the three water-closets on the basement floor of the state- New water-closets for state-house.

house with new water-closets, similar to that in use by the supreme court department; the expense thereof not to exceed an aggregate of five thousand dollars.

Provisions relating to such improvement.

SECTION 2. The adjutant-general, secretary of the state board of health and third assistant sergeant-at-arms are required to let the contract for said improvement to the lowest responsible bidder or bidders and said work shall be performed under their direction and supervision in accordance with plans and specifications prepared by them; it shall be their duty to properly certify to the auditor of state all bills for work performed in pursuance of this act; and all expenses occurring under this act shall be audited and paid in the same manner as repairs to the state-house are now paid.

Appropriation for such purpose.

SECTION 3. There is hereby appropriated out of any money in the treasury to the credit of the general revenue fund the sum of five thousand dollars, or so much thereof as may be required, for the purpose of carrying out the provisions of this act.

SECTION 4. This act shall be in force and effect from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.

ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892.
345G

[House Bill No. 917.]

AN ACT

To amend section 2 of an act to authorize any village in the state of Ohio which at the last federal census had, or which at any subsequent federal census may have a population of not less than seven hundred (700), nor greater than seven hundred and ten (710), to issue bonds for the purpose of improving their streets.

Street improvement bonds (New Washington):

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 2 of the above recited act be so amended as to read as follows:

Payment of principal.

Sec. 2. The principal of said bonds shall be payable at such place, and at such times, not exceeding twenty years from date of issue, as the council of said village may, by ordinance, determine; and the said council is hereby authorized to levy a tax upon all taxable property of said village to pay said bonds and interest, but such tax shall not exceed two mills on the dollar in any one year in addition to the tax now authorized by law.

Additional tax levy.

SECTION 2. That said original section 2 shall be and is hereby repealed. Repeals.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892.
346G

[House Bill No. 918.]

AN ACT

To provide for the anticipation of certain taxes, in counties containing a city of the second grade of the first class.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That in counties containing a city of the second grade of the first class, the county commissioners may anticipate the collection of the taxes authorized to be levied for the improvement of state and county roads under an act entitled "An act to provide for the improvement of state and county roads in counties containing a city of the second grade of the first class," passed March 31, 1892, by temporary loans; but no loan shall be made in excess of the gross amount of revenue raised by such levies for such purpose during the then current year; and the taxes so levied, when collected, shall be applied first in the payment of such loan. Temporary loans in anticipation of additional road tax (Cuyahoga).

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892.
347G

[House Bill No. 926.]

AN ACT

To further supplement section four (4) of an act entitled "An act for the establishment and maintenance of public libraries in certain cities of the first class," as amended April 12, 1888 (vol. 85, O. L., pp. 209 to 212), and sections one and four of which were supplemented March 12, 1889 (vol. 86, O. L., p. 79); and said section four (4) further supplemented March 6, 1891 (vol. 88, O. L., p. 92), and said section four (4) further supplemented April 23, 1891 (vol. 88, O. L., p. 335).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section four (4) of the above entitled act be further supplemented by an additional section as follows: Public libraries.

Additional public library building bonds (Toledo).

Sec. 4*d*. For the purposes specified in said original section four (4) and the first section supplemental thereto, section 4*a*, and to complete the carrying out of such purposes, and paying therefor, said board of trustees is hereby authorized to issue and sell additional bonds to an amount not in excess of five thousand dollars ($5,000.00); and such additional bonds shall be issued and sold and their proceeds disposed of and their payment including interest provided for, in all respects in the same manner and subject to the same conditions, as provided in said supplemental section 4*a* for the bonds to mature July 1, 1906, and thereafter, except that those hereby authorized shall mature July 1, 1912.

SECTION 2. This act shall take effect on its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892.
348G

[House Bill No. 946.]

AN ACT

To authorize any village in the state of Ohio which at the last federal census had, or which at any subsequent federal census may have, a population of not less than 340 nor more than 380 to sell its natural gas plant and real estate.

Sale and transfer of natural gas plant (Bairdstown).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That any village in the state of Ohio which at the last federal census had, or which at any subsequent federal census may have a population of not less than 340 nor more than 380, be and the same hereby is authorized to sell and transfer its natural gas plant, consisting of its wells, leases of lands for gas or oil, gas pipes, fixtures, buildings, tools, machinery, other appliances of its gas plant and real estate.

Contract to be entered into by purchasers.

SECTION 2. As a part of the consideration therefor, the said village may require the purchaser thereof to enter into a contract on behalf of itself, its successors and assigns with said village to faithfully and fully perform all and singular the covenants and conditions upon the part of said village to be performed of each and every contract theretofore entered into between said village to such persons or corporations; and such purchaser shall, in such event, give full and satisfactory assurances and security for the full and faithful performance of said contract by itself and its successors and assigns, to said village and to said persons and corporations having such contracts with said village before said village gas plant, etc., shall be sold and transferred to such purchaser.

Execution of sale and contract.

SECTION 3. The sale and contract authorized by this act shall be made on behalf of said village by the council thereof and shall be executed and attested on behalf of said village by the mayor and clerk thereof.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892.
349G

[House Bill No. 947.]

AN ACT

Prescribing the rate of state taxes, and to repeal an act therein named (O. L. vol. 88, p. 479).

Prescribing the rate of state taxes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That there shall be levied annually, taxes for state purposes, on each dollar of valuation of taxable property for general revenue purposes, one mill and four-tenths of one mill, the same to be styled the "general revenue fund." For the payment of interest and constitutional reduction of the principal of the public debt of the state, three-tenths of one mill, said fund to be styled the "sinking fund." For the support of common schools, one mill, said fund to be styled the "state common school fund."

Repeals.

SECTION 2. That the act "prescribing the rate of state taxes, and to repeal the act therein named," passed April 30th, 1891 (O. L. vol. 88, p. 479), be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892.
350G

[House Bill No. 956.]

AN ACT

To pay certain deficiencies and liabilities at the boys' industrial school.

Appropriation to pay claims against boys' industrial school.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the following sums be and the same are hereby appropriated out of any moneys in the state treasury, to the credit of the general revenue fund, not otherwise appropriated, to pay deficiencies and liabilities, as herein specified, being claims held by the parties hereinafter named against the boys' industrial school, Lancaster, Ohio:

B. F. Price, drugs, $248.30.
Stockwell & Beck, leather, $114 14.
The Flack Bros. Grocery Co., molasses, $217.20.
W. N. Broyles, buggy springs, $2.00
Chas. Cunningham, livery hire, $6.00.
Thimmes Bros., meat, $1,173.42
Bumgartner & Horseman, groceries, $57.82.
Wm. Cox, groceries, $61.10.
E. P. Stuckey, physician, $96.00.
L. F Van Dyke, produce, $409.54.
J. W. Pepper, seeds, $2.00.
Jacob Kratzer, produce, $73.07.
Hall & Becker, dry goods, $918.70.
J. E. Fritsche, jeans, $1,006.49.
W. C. Reikert, seeds, $80.78.
N. R. Butler & Co., groceries, $204.66.
Peter Miller & Co., clothing, $840.78.
A. A. Bauman & Co., groceries, $509 27.
Mrs. C. Bender, pork, $61.80.
Central Ohio Paper Co., paper, $29.55.
A. Brenneman, mucilage, 80c.
J. D. Marshall, produce, $190.68.
A. Hansbarger & Co, produce, $837.40.
L. Snyder & Co., lime, $13.50.
A. Schleckman, groceries, $46.29.
James McSweeney, groceries, $520.51.
C. H. Kerr, produce, $267.78.
The Greendale Furnace Co., coal, $3,546.49.
James McManamy, tinware, $47.65.
Keynes & Wellman, flour, $671.00.
Shupe & Black, flour, $1,332.56.
A. Deeds & Son, flour, $138 00.
Ulrick & Bader, grain, $215 83.
H. A. Martens & Son, hardware, $65.80.
Loue E. Eyman, drugs, $48.95.
Ed. H. Bininger, groceries, $57.90.
John M. King, hardware, $15.55.
C. F. Kirn, leather, $874.12.
Ulrick, Bell & Co., groceries, $1,557.71.
Jacob Leui, produce, $400.29.
Machinery account, $206.49.
Rewards for perfect conduct, $350.00.
The Ohio Coal Exchange, coal, $795.70.
A. Bauman, dishes, $67.50.
Cly & Son, groceries, $4.00.
Groceries, $78 60.
W. Klinge, groceries, $21.50.

Auditing and payment of accounts.

SECTION 2. The governor of this state is hereby authorized and empowered to appoint a committee, of not less than two competent and disinterested persons, not more than one of whom shall belong to the same political party, whose duty it shall be to audit the above accounts, and no moneys shall be paid out of the state treasury on said accounts until they have been thoroughly examined by said committee and found by them to be correct and in no event shall said

moneys be paid unless upon recommendation of said committee in writing, and approval of the governor. Said committee shall have power to send for persons and papers, administer oaths, subpœna witnesses, take depositions, and all other powers necessary to carry out the provisions of this act, and to determine the causes of said deficiencies and fix the responsibility for the same and report their findings to the governor.

Expenses of committee.

SECTION 3. All reasonable expenses incurred by the above committee shall be paid by the above named creditors.

SECTION 4. This act shall take effect on its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892.
351G

[House Bill No. 958.]

AN ACT

To authorize county commissioners in certain counties to appoint engineers on public improvements, and to exempt certain counties from the provisions of an act passed March 30th, 1892.

Exemption from provisions of certain act (Delaware county).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That counties containing at the federal census taken in 1890, a population of 27,189, and no more, be and the same are hereby exempted from the operations and effects of the amendment to section 1181 R. S. of Ohio, as amended in senate bill No. 136, of the 70th general assembly of the state of Ohio, passed on the 30th day of March, A. D. 1892, so far as the services of an engineer are required in the location and construction of improved roads, county ditches, bridges and other county improvements, ordered, or to be ordered, by the commissioners of such counties. Provided, that it shall be lawful for the commissioners of any county in the state of Ohio having a population at the last federal census of 27,189 and no more to appoint an engineer to superintend the location and construction of any road improvement, county ditch, bridge, or other county improvement, requiring the services of an engineer in such counties. Provided further that the provisions of this act shall cease to be in force and effect on and after the first Monday in January, A. D. 1894.

Engineer of county improvements.

Limitation.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892.
352G

[Senate Bill No. 280.]

AN ACT

To reënact and amend certain sections of the Revised Statutes of Ohio relating to the conduct of elections, and to amend an act entitled "An act to provide for a board of elections for certain specified counties."

Conduct of elections:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That the following sections of the Revised Statutes be reënacted and amended with sectional numbering as indicated:

Poll-books and tally-sheets.

Sec. 1252. The clerk shall furnish at his office, at the expense of the county, and at least five days before the day of election, all the necessary poll-books and tally-sheets required in each voting precinct in the county, for all presidential, congressional, state and county elections. He shall furnish and deliver to the trustees of each township, and the councilmen of each ward, with said poll-books and tally-sheets, at each state election, a correct list in alphabetical form, [of] the names of all the regular jurors who have served in any court of record from such township or ward in said county during the two years last past.

List of persons having served as regular jurors during preceding two years.

Ballot-boxes.

Sec. 2928. The clerk of the court shall cause to be provided, at the expense of the county, a ballot-box for each precinct therein which may be without the same, and cause it to be deposited with the proper township or corporation clerk; and every such clerk shall cause a ballot-box, with a copy of this title, to be delivered at each place of holding elections in his township or corporation, as often as elections are held therein, and after each election the same shall be forthwith returned to him by the judges of election for safe keeping; provided, that whenever a board of elections is established, the purchase and care of ballot-boxes to be used at any election under its direction shall devolve upon such board.

Judges of election for township precincts.

Sec. 2932. Judges of election for each township precinct shall be constituted and chosen as follows:

FIRST. In every township in which the trustees are not all members of the same political party, the trustees shall be the judges.

SECOND. In every other township, except townships divided into election precincts, the two trustees whose term of office expires in one and two years, respectively, and the person not a member of the same political party as these trustees, having received the next highest vote for the office of trustee at the preceding township election, shall act as judges.

THIRD. If two or more persons, not members of the same political party as the trustees, receive the same number of votes at the preceding election for township trustee, the township clerk shall publicly determine by lot which of such persons shall act as judges.

FOURTH. In every township containing more than one election precinct, each trustee shall act as judge in the pre-

cinct in which he resides, unless they all reside in the same precinct, when the two only whose terms first expire, shall so act therein, and the other shall act as judge in any other precinct; and additional judges, so that there shall be three judges at each precinct, shall be chosen as provided in section two thousand nine hundred and thirty-five; and the clerk of every township shall make and preserve a record of the names of all persons chosen judges of election in such township, and the date when chosen.

FIFTH. If, at the preceding township election, no person was voted for who was a member of a different political party from that of the township trustees, or if such person or persons so voted for have since died or ceased to be residents of the township, then the electors present shall choose, viva voce, a suitable person having the qualifications of an elector and who does not belong to the same political party as the trustees, but to the political party casting the vote next highest or nearest in the township to that of the party of the trustees, to act as judge.

Clerks.

SEC. 2932*a*. In all public elections in townships not divided into election precincts, there shall be two clerks having the qualifications therein, one of whom shall be the township clerk and the other shall be chosen as provided in section two thousand nine hundred and thirty-five, and he shall not be a member of the same political party as the township clerk. In townships divided into election precincts there shall be two clerks in each precinct; the township clerk shall act as one of the clerks in the precinct in which he resides, and the other clerks shall be chosen as provided in section two thousand nine hundred and thirty-five; provided, that only one of the clerks so chosen in each precinct shall belong to the same political party as the township clerk, and in all cases the two leading political parties shall be represented by the two clerks in each precinct.

Judges of election for ward precincts; exceptions.

SEC. 2933. Judges of elections for each ward precinct of a municipal corporation, except in cities having a board of elections as provided in section two thousand nine hundred and twenty-six, and the sections supplementary thereto shall be constituted and chosen as follows:

FIRST. If the ward is not divided into precincts, the two councilmen of the ward, and the elector who was a member of a political party to which one or both of the councilmen did not belong, who received the highest number of votes for councilman of those voted for and not elected, at the preceding spring election, shall be judges; but if two or more of such electors not chosen received the same number of votes, the clerk of the corporation shall publicly determine by lot which shall be judge of election; judges of election so chosen shall serve as such for one year, and until their successors are chosen and qualified, and the clerk shall issue to them a certificate of election as in other cases.

SECOND. In every ward divided into election precincts, the two councilmen shall be judges of election in the precincts in which they respectively reside; and additional

[Senate Bill No. 280.]

AN ACT

To reënact and amend certain sections of the Revised Statutes of O relating to the conduct of elections, and to amend an act enti "An act to provide for a board of elections for certain spec counties."

Conduct of elections:

SECTION 1. *Be it enacted by the General Assembly of the S of Ohio.* That the following sections of the Revised Statu be reënacted and amended with sectional numbering as in cated:

Poll-books and tally-sheets.

Sec. 1252. The clerk shall furnish at his office, at expense of the county, and at least five days before the of election, all the necessary poll-books and tally-sheets quired in each voting precinct in the county, for all presid tial, congressional, state and county elections. He sh

List of persons having served as regular jurors during preceding two years.

furnish and deliver to the trustees of each township, and councilmen of each ward, with said poll-books and tally she at each state election, a correct list in alphabetical form, [the names of all the regular jurors who have served in court of record from such township or ward in said cou during the two years last past.

Ballot-boxes.

Sec. 2923. The clerk of the court shall cause to be p vided, at the expense of the county, a ballot-box for e precinct therein which may be without the same, and can to be deposited with the proper township or corporat clerk; and every such clerk shall cause a ballot-box, wit copy of this title, to be delivered at each place of hold elections in his township or corporation, as often as electi are held therein, and after each election the same shall forthwith returned to him by the judges of election for keeping; provided, that whenever a board of elections established, the purchase and care of ballot-boxes to be u at any election under its direction shall devolve upon su board.

Judges of election for township precincts.

Sec. 2932. Judges of election for each township preci shall be constituted and chosen as follows:

FIRST. In every township in which the trustees are all members of the same political party, the trustees shall the judges.

SECOND. In every other township, except townsh divided into election precincts, the two trustees whose te of office expires in one and two years, respectively, and person not a member of the same political party as th trustees, having received the next highest vote for the offic trustee at the preceding township election, shall act as judg

THIRD. If two or more persons, not members of same political party as the trustees, receive the same num of votes at the preceding election for township trustee, township clerk shall publicly determine by lot which of su persons shall act as judges.

FOURTH. In every township containing more than election precinct, each trustee shall act as judge in the p

ABSTRACT OF RETURNS.

Opening returns and making abstracts of votes.

Sec. 2980. In not less than one nor more than five days after the election, or sooner in case the returns are made, the clerk of the common pleas court, taking to his assistance two justices of the peace of the county, one of whom shall be of opposite politics to that of the clerk, shall proceed to open the several returns made to his office, and make abstracts of the votes in the following manner, viz.:

1st. Upon a single sheet, an abstract of votes for governor, lieutenant-governor, secretary of state, auditor of state, treasurer of state and attorney-general.

2d. Upon another sheet an abstract of votes for governor, lieutenant-governor, secretary of state, auditor of state, treasurer of state, attorney-general, state commissioner of common schools, member of the board of public works, judge of the supreme court, clerk of the supreme court, dairy and food commissioner and representatives to congress.

3d. And upon another sheet, an abstract of votes for governor, lieutenant-governor, secretary of state, treasurer of state, attorney-general, state commissioner of common schools, member of the board of public works, judge of the supreme court, clerk of the supreme court, dairy and food commissioner, judge of the circuit court, judge of the common pleas court, representatives to congress, senators and representatives to the general assembly, judge of the probate court, clerk of the common pleas court, sheriff, county auditor, county commissioner, county treasurer, county recorder, county surveyor, prosecuting attorney, infirmary director and coroner.

ABSENCE CLERK, WHO CANVASSES RETURNS.

Performance of duties in case of death or absence of clerk of courts.

Sec. 2981. Whenever the clerk of the court of common pleas is dead, or absent, or is prevented by any casualty from opening the returns of votes cast at any election, his deputy may act in his stead; and whenever in such case such deputy is not present, or the office of clerk is not represented by deputy, it shall be the special duty of the probate judge of the county in which such election was held, to attend immediately at the clerk's office, and, taking to his assistance two justices of the peace of such county, one of whom shall be of opposite politics to that of the probate judge, proceed to open all the returns of election for such county made to such clerk's office, and perform the same duties that are required of the clerk of the court in such cases, under the provisions of this title. Provided, that if in any county there should be no justice of the peace of opposite politics to that of the clerk or probate judge, then the clerk or judge shall take to his assistance one justice of the peace and some reputable citizen of opposite politics to that of himself.

Provisions relating to poll-books, abstracts, and validity of returns.

Sec. 2982. The clerk and justices shall not receive any paper as a poll-book of any precinct unless it be delivered at the clerk's office by one of the judges of the election held in such precinct; and in making the abstracts of votes, they shall

judges, so that there shall be three judges at each precinct, shall be chosen as provided in section two thousand nine hundred and thirty-five.

Clerks.

Two clerks of election of opposite politics, shall be chosen, viva voce, from the two leading political parties by the electors at the time and place of holding elections in each of such wards or precincts, who shall have the qualifications of an elector, and shall take the oath prescribed by section two thousand nine hundred and thirty-five.

Vacancy in office of judge or clerk.

Sec. 2935. If a judge of election, or the clerk of any township, fail to attend at the time and place of holding elections, or is a candidate for a state or county office, the electors present shall choose, viva voce, a suitable person, having the qualifications of an elector, to act in place of such absentee or candidate, as judge or clerk of such election; and in the election of such person or persons, the same limitations and restrictions shall be observed as are prescribed in section two thousand nine hundred and twenty-six, so that the two leading political parties, in all cases, shall have a representation on the board; and previous to the reception of any vote, such judge or clerk, or any judge or clerk not being already duly sworn and qualified according to law, shall take an oath, which may be administered by any trustee or clerk of a township, or councilman, or other person authorized to administer oaths, in the following form: "You, A. B., do solemnly swear (or affirm) that you will perform the duties of judge, or clerk, of the election, as the case may be, according to law and the best of your ability, and that you will studiously endeavor to prevent fraud, deceit, or abuse in conducting the same."

Oath of judges and clerks.

Penalty for refusal to serve as judge or clerk.

Sec. 2936. A person elected judge of election who refuses to qualify as such, or a judge of election or clerk who refuses to discharge the duties imposed by law, or a person chosen to act in place of either, who refuses to act, shall forfeit and pay a sum not exceeding twenty dollars, for the use of the county, to be recovered, with costs, in the name of the county, before any justice of the peace of the proper township.

Fees of clerks of courts and probate judges.

Sec. 2965. A clerk of the court of common pleas, or probate judge, shall receive for his services under this title, to be paid by the county, the following fees: For making out abstracts, for every hundred words, ten cents; for each certificate to abstract, with the seal of the court attached, fifty cents.

Abstract of votes for presidential electors.

Sec. 2969. The clerk of court, on receiving the poll-books of all the election precincts of the county, shall take to his assistance two justices of the peace of the county, one of whom shall be of opposite politics to that of the clerk, and make an abstract of the poll-books returned, on one sheet showing the number of votes given for each person for such office, and the clerk and the justices shall certify the same, and deposit it in the clerk's office; and the clerk shall, within six days after the day of election, make a certified copy of such abstract, and transmit the same by mail, properly inclosed and directed, to the secretary of state at Columbus.

Transmission of certified copy.

ABSTRACT OF RETURNS.

Opening returns and making abstracts of votes.

Sec. 2980. In not less than one nor more than five days after the election, or sooner in case the returns are made, the clerk of the common pleas court, taking to his assistance two justices of the peace of the county, one of whom shall be of opposite politics to that of the clerk, shall proceed to open the several returns made to his office, and make abstracts of the votes in the following manner, viz.:

1st. Upon a single sheet, an abstract of votes for governor, lieutenant-governor, secretary of state, auditor of state, treasurer of state and attorney-general.

2d. Upon another sheet an abstract of votes for governor, lieutenant-governor, secretary of state, auditor of state, treasurer of state, attorney-general, state commissioner of common schools, member of the board of public works, judge of the supreme court, clerk of the supreme court, dairy and food commissioner and representatives to congress.

3d. And upon another sheet, an abstract of votes for governor, lieutenant-governor, secretary of state, treasurer of state, attorney-general, state commissioner of common schools, member of the board of public works, judge of the supreme court, clerk of the supreme court, dairy and food commissioner, judge of the circuit court, judge of the common pleas court, representatives to congress, senators and representatives to the general assembly, judge of the probate court, clerk of the common pleas court, sheriff, county auditor, county commissioner, county treasurer, county recorder, county surveyor, prosecuting attorney, infirmary director and coroner.

ABSENCE CLERK, WHO CANVASSES RETURNS.

Performance of duties in case of death or absence of clerk of courts.

Sec. 2981. Whenever the clerk of the court of common pleas is dead, or absent, or is prevented by any casualty from opening the returns of votes cast at any election, his deputy may act in his stead; and whenever in such case such deputy is not present, or the office of clerk is not represented by deputy, it shall be the special duty of the probate judge of the county in which such election was held, to attend immediately at the clerk's office, and, taking to his assistance two justices of the peace of such county, one of whom shall be of opposite politics to that of the probate judge, proceed to open all the returns of election for such county made to such clerk's office, and perform the same duties that are required of the clerk of the court in such cases, under the provisions of this title. Provided, that if in any county there should be no justice of the peace of opposite politics to that of the clerk or probate judge, then the clerk or judge shall take to his assistance one justice of the peace and some reputable citizen of opposite politics to that of himself.

Provisions relating to poll-books, abstracts, and validity of returns.

Sec. 2982. The clerk and justices shall not receive any paper as a poll-book of any precinct unless it be delivered at the clerk's office by one of the judges of the election held in such precinct; and in making the abstracts of votes, they shall

not decide on the validity of the returns, but shall be governed by the number of votes stated in the poll-books; and they shall certify and sign the abstracts and deposit the same in the office of the clerk.

TRANSMISSION OF ABSTRACTS.

Making and transmission of certified copies of abstracts.

Sec. 2983. The clerk shall make and certify under the seal of his office, duplicate copies of abstract number one, and inclose and seal the same, and indorse on the envelope "Certificate of the votes for governor, lieutenant-governor, secretary of state, auditor of state, treasurer of state, and attorney-general" (either or all as the case may be), and the name of the county in which the votes were given; and he shall direct and forward one copy thereof by mail, to the president of the senate, at Columbus, and shall deliver the other copy to a member of the general assembly, who shall deliver the same to the president of the senate, at Columbus; and he shall also forthwith make, certify, seal and indorse, in manner aforesaid, a copy of abstracts numbers two and three, and transmit the same by mail to the secretary of state, at Columbus.

CONGRESSIONAL ELECTIONS—RETURNS.

Making, filing and transmission of certified copies of abstracts in election to fill vacancy in office of member of congress.

Sec. 2989. In any election for member of congress to fill a vacancy, the clerk of court of each county embraced in the district in which the election is held shall, within six days after the election, make, and certify under the seal of his office, an abstract, in duplicate, of the votes cast at such election in his county. Such clerk shall file one copy of the abstract in his office, and shall inclose the other in an envelope, so indorsed as to show distinctly that it is an abstract of votes, for what office, and from what county, and transmit it, without delay, to the secretary of state; if the secretary of state fails to receive the abstract from any county within twelve days after such election, he shall forthwith notify the clerk of court of such county thereof; and the clerk shall, on receipt of the notice, forthwith make and transmit to the secretary of state, a certified copy of the duplicate on file in his office.

TRANSMISSION OF ABSTRACTS IN DISTRICTS.

Making and transmission of certified copies of abstracts and certificates of election in circuits and districts.

Sec. 2994. When two or more counties are joined in a judicial circuit, or in a judicial, senatorial, or representative district, the clerk of the common pleas court of each county of such circuit, or district having a population not the largest, shall make, and, within eight days after the day of election, transmit by mail to the clerk of the common pleas court of the county in the circuit or district having the largest population, an abstract showing the number of votes given in each election precinct in such county, for each person who received votes for any office to be filled by the circuit, or district; such abstract shall be attested by the clerk, under seal of the court,

and inclosed in an envelope so indorsed as to show distinctly that it is an abstract of votes, for what offices, and from what county; and it shall be opened and canvassed as provided in section 2980, by the clerk to whom transmitted, who shall incorporate the same in an abstract with the returns from the precincts of his county for such offices, and shall make and transmit to the persons elected certificates of their election.

Board of elections:

SECTION 2. That an act entitled "An act to provide for a board of elections for certain specified counties," passed April 12th, 1889 (86 O. L. 258), as amended April 30th, 1891, be amended so as to read as follows:

AN ACT

Enlarging the duties of boards of elections of certain cities.

Conduct of elections in counties containing cities of the first class.

Sec. 1. In any county having within its territory a city of the first class, the election precincts of the county not included within the city, shall be held and deemed to be election precincts of the city for the purpose of conducting and supervising elections therein, and the board of elections heretofore established in such city shall have direction of elections in such precincts and throughout such county; and all the provisions, duties, penalties and requirements contained in section two thousand nine hundred and twenty-six of the Revised Statutes, and supplemental sections as heretofore amended shall apply and be in full force as to all elections held in such county, as well as such city except as herein specified; and the members, secretary, deputy secretary, clerks and assistants of such board shall be electors of the county and not of the city merely.

Provisions applicable to elections in precincts outside such cities.

Sec. 2. The following provision[s] included in this section, shall apply only to elections in precincts not included in such city:

Registration of electors, as provided in the above mentioned sections, shall not be required.

The board of elections may, in its discretion, authorize the judges of elections to omit the meeting for organization, provided in section 2926*a*, but in all such cases the judges shall organize, as therein required, on the morning of the election, before opening the polls.

The board of elections may, when expedient, permit the oath required by section 2926*c* to be administered by any officer authorized to administer oaths without the appointee appearing at the office of the board, and any such officer is required to administer such oath without compensation; but in all such cases the oath, duly certified, must be filed in the office of the board before the certificate of appointment is issued.

The board may dispense with the notice of appointment, required in section 2926*e*; when vacancies occurring on the day of an election have been filled, as is required in

said section, and when said notice has been so dispensed with, the appointee shall serve upon such appointment as if he had been appointed by the board.

The board may authorize judges of election to forward, by mail, the certified summary statement of votes required in section 2926*p*; provided, the said judges shall have announced the vote to the board, by telegraph or telephone, as required in said section, and in section 2926*q*.

The board of elections shall provide for the safe keeping and delivery of the ballot-boxes as may seem expedient.

Delivery of poll-books.

SEC. 3. At every election, in any county as aforesaid, for state or county officers, or for representatives in congress, or for presidential electors, the poll-book of each precinct, addressed to "the county board of canvassers," as required by section 2926*r*, shall be delivered at the office of the board of elections. The other poll-book shall be addressed to the "clerk of the court of common pleas," and delivered to him, and he shall preserve it for one year, for inspection as a public record, and shall, upon demand of the board of canvassers, produce any such poll-book for their inspection and use.

The time and manner of delivery of poll-book shall be as provided in section 2926*r*, except that the poll-books from election precincts not included within the city shall be delivered within twenty-four hours after closing the polls.

The president or secretary of the board of elections may order the summary arrest of any judge of elections in such county, who fails to make return of any election; and it shall be the duty of the sheriff of the county, or of any policeman or constable, to whom such order may be directed, to bring such delinquent judge, together with the poll-book, and other books pertaining to the election or registration, before said board.

Canvass of votes, and returns thereof.

SEC. 4. The members of the board of elections shall constitute the county canvassing board; and all duties, as to canvassing the votes and making returns of the same, now by law assigned to the clerk of the court of common pleas, shall be performed by such board. Within four days after the election in November, and after any special election for county or state officers, or for representative in congress, the members shall meet at the office of the board of elections and organize by choosing one of their number to be president, and appointing a secretary and necessary assistants. They shall proceed to canvass the vote of the county, and make return of the same, as required by section 2926*s*, and by law.

In case of doubt, or disagreement, so that the board can not proceed with the canvass, a statement, in writing, of the matter in doubt or controversy, shall be made and forthwith submitted to one of the judges of the circuit, for the circuit in which the county is situated; and if the board can not otherwise agree the judge shall be selected by lot. Such judge shall summarily decide upon the matters submitted to him, and his decision shall be final.

Compensation of judges and clerks; salaries of members and secretary of board; expense of ballot-boxes.

Sec. 5. Judges and clerks of election, appointed as herein provided, shall be allowed compensation as fixed in section 2926*t*. Salaries of the members and secretary, as fixed in said section, shall be paid out of the city treasury; and, in addition, there shall be allowed to each member of the board, the sum of five hundred dollars per annum, and the secretary the sum of six hundred dollars per annum, payable quarterly out of the treasury of the county. The expense of the purchase and repair of ballot-boxes shall be paid out of the county treasury.

Other expenses; how payments to be made.

All other expenses of every description, incurred between the first day of July and the thirty-first day of December, in each year, shall be paid out of the county treasury; and all expenses incurred between the first day of January and the thirtieth day of June, in each year, shall be paid as heretofore provided by law. All payments shall be made upon vouchers of the board, made and certified as required by section 2926*d* (86 v. 258).

Deputy state supervisors in counties other than those containing cities of the first class.

SECTION 3. In all counties other than counties containing cities of the first class, in or for which there is or may be established deputy state supervisors of election, such deputy state supervisors shall, in their respective counties in the conduct of elections, have all the powers and perform all the duties conferred and imposed by this act and the sections of the Revised Statutes amended and reënacted therein, on the clerks of the court and be subject to the same provisions, penalties and requirements.

Judges and clerks appointed by board of elections or deputy supervisors.

Judges and clerks appointed for the several precincts of a county by such board of elections or deputy supervisors or other officer or officers, shall serve as such in the conduct of all elections under this act in preference to the judges and clerks provided for herein, and shall perform all the duties and exercise all the powers and be subject to all the penalties imposed, conferred or prescribed in the sections of the Revised Statutes amended and reënacted by this act upon judges and clerks of elections.

Repealing clause.

SECTION 4. An act entitled "An act to provide for a board of elections for certain specified counties," passed April 12th, 1889, as amended April 30th, 1891, is hereby repealed and this act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed April 18, 1892.
809G

[Senate Bill No. 279.]

AN ACT

Amendatory of and supplementary to an act entitled "An act to provide for the mode of conducting elections, to insure the secrecy of the ballot and prevent fraud and intimidation at the polls, and to repeal certain statutes therein named," passed April 30, 1891.

Conduct of elections of public officers; exceptions.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That hereafter elections of all public officers, except school directors of subdistricts and joint subdistricts, in this state shall be conducted according to the provisions of this act and existing laws not inconsistent therewith.

DUTIES OF SECRETARY OF STATE.

Forms for guidance in conduct of elections.

SECTION 2. In addition to the duties now imposed on him by law, the secretary of state shall prepare and furnish to each clerk of the court of common pleas, elsewhere herein denominated "county clerk" or "clerk of court" in this state, for his guidance, forms of all the blanks, cards of instruction, including poll-books and tally-sheets, certificates of nominations and designs, provided for hereinafter, for the conduct of elections in this state, provided, however, that if the secretary of state is or shall be constituted, state supervisor of elections, with authority to appoint deputy supervisors to act as the canvassing officers for the several counties for which they may be appointed, such deputy supervisors shall have the powers and discharge the duties conferred and imposed upon clerks of the courts, by this act, as more fully prescribed in section 37 of this act.

Powers and duties of deputy state supervisors of elections.

Division of wards, townships or precincts.

SECTION 3. In all municipalities where registration is not required, and in townships, when five hundred votes or more have been cast at the last preceding November election in any ward or township, or in any precinct therein, such ward, township or election precinct may, or when a majority of the voters petition therefor, shall be divided by the council, if in a city or village, or by the county commissioners if in a township, as hereinafter provided, into two or more election precincts, so as to limit the number of votes in each ward or precinct to three hundred, as nearly as may be practicable; and from time to time any or all of such precincts may be rearranged, subdivided, or combined as often as may be deemed necessary or the convenience of the electors and the prompt and correct conduct of the elections may require. At least thirty days previous to any election the officers above named shall give ten days' notice, by publication in two papers of opposite politics published in the county, that the question whether the township, ward or precinct, or precincts shall be divided, changed or combined, will be considered on a day named in said notice. On said day, or some subsequent day to which the matter may be adjourned, the question of dividing, changing or combining said precinct shall be heard, and if there are no remonstrances against said division, change or combination, they shall declare the same, and the pre-

Rearrangement, subdivision or combination of such precincts.

Notice of proposed change.

Hearing and determination of question.

cincts so established; but if any twelve electors of such precincts remonstrate against such division, change or combination, the matter shall be heard and determined, and such order made for or against such division, change or combination as is deemed proper; provided, that nothing in this section shall be construed to affect the powers and duties of city boards of elections in reference to the division of election precincts within such cities, as provided in section 2926 of the Revised Statutes; provided further, that the division of any election precinct into two or more subdivisions as herein provided, shall not be construed as requiring the election of an assessor in each such subdivision, but in all such election precincts subdivided as aforesaid there shall be elected one assessor for each original precinct unless the council or commissioners at the time of the division shall order that an assessor be elected in each precinct; provided that in all counties having or which hereafter may have deputy state supervisors of elections, such deputy state supervisors shall perform the duties provided for in this section.

City election precincts.

Election of assessors.

Duties of deputy state supervisors.

All divisions of precincts made by county election boards under the act of April 30th, 1891, shall be held annulled and vacated, on and after the first day of September next, unless prior thereto twenty electors of each precinct to be affected by such vacation shall protest in writing against such vacation or consolidation to the council or commissioners, whereupon such body or board shall hear and determine whether the precincts shall be preserved as divided.

Precincts divided under former act.

TOWNSHIP CLERK TO SEND LIST OF JUDGES.

SECTION 4. At least twenty days before the general November election, the clerk of each township and the clerk of each municipality in which registration of voters is not in force, shall forward to the clerk of the court of the county in which such municipality or township is included, a list containing the names of all persons authorized by law to act as judges and clerks of election in each precinct in such municipality or township, with the post-office addresses of the same, and specifying for each precinct the judges and clerks for the same so far as provided by law.

List of persons authorized to act as judges and clerks.

ADDITIONAL JUDGE.

SECTION 5. In all precincts holding an election under this act, where only three judges are provided by law, the electors present at the time for opening the polls, shall choose, viva voce, a suitable person having the qualifications of an elector, and belonging to one of the two leading political parties, but of opposite politics to that party to which the majority of the judges chosen belong, to act as judge of such election; it being the true object and intent of this provision, that at every precinct, in elections held under this act, the two leading political parties shall be equally represented on the board of judges.

Selection of additional judge.

NOMINATIONS.

Nomination of candidates.

SECTION 6. Nominations of candidates for public office may be made as herein provided, and when not invalidated or withdrawn, the names of such candidates shall be printed on the ballots. Any convention, caucus, meeting of qualified electors, primary election held by such electors, or central or executive committee, representing a political party, which at the next preceding general election polled at least one per cent. of the entire vote cast in the state, may make one nomination for each office to be filled at the following election, which nomination, to be valid, must be certified as hereinafter provided.

Certificate of nomination.

Every certificate of nomination shall state such facts as are in this act required for its acceptance, and shall be signed by the proper officers of such convention, caucus, meeting, primary election or committee, who shall add to their signatures their places of residence and post-office address, and make oath before an officer qualified to administer the same, that the facts stated in the certificate are true to the best of their knowledge and belief. A certificate of the oath shall be annexed to the certificate of nomination. Such certificate of nomination shall also state the names and address of a committee authorized to represent such political party, and such committee shall have power to fill vacancies which may occur in the list of nominations, unless it be otherwise specially ordered at the time of the selection of such committee and so certified.

NOMINATIONS BY PETITIONS.

Nomination of candidates by nomination papers.

SECTION 7. Nominations of candidates for any county, city, township or municipal office, or members of the board of education may be made by nomination papers, signed in the aggregate for each candidate by not less than three hundred qualified electors of the county, or fifty qualified electors of the city, or twenty-five electors of the township, village or school district, respectively; except in counties containing cities of the first and second grade of the first class, such nomination papers shall be signed by petitioners not less in number than one for every fifty persons who voted at the next preceding general election in such county. Nominations of candidates for other offices may be made by nomination papers, signed for each candidate by qualified electors of the state or the district or division for which such candidates are nominated, not less in number than one for every one hundred persons who voted at the next preceding general election in the state or such district or division. Signers of such nomination papers shall insert in them the names and addresses of such persons as they desire, to the number of five, as a committee, who may fill vacancies caused by death or withdrawal. Each elector signing a nomination paper shall add to his signature his place of residence, and may subscribe to one nomination for each office to be filled, and no more. One of the signers to each such separate paper shall swear that the state-

Cuyahoga and Hamilton counties.

ments therein are true, to the best of his knowledge and belief, and the certificate of such oath shall be annexed.

CERTIFICATES OF NOMINATIONS—WHAT TO CONTAIN.

Contents of certificates of nomination and nomination papers.

SECTION 8. All certificates of nomination and nomination papers shall, besides containing the names of candidates, specify as to each (1) the office for which he is nominated; (2) the party or political principle which he represents, expressed in not more than three words; (3) his place of residence, with street and number thereon, if any; provided, however, that in nominations by petition, the certificate may designate, instead of a party or political principle, any name or title which the signers shall select, and candidates nominated by petition, without distinctive appellations, shall be certified as independent candidates. In case of electors of president and vice-president of the United States, the names of the candidates for president and vice-president shall be added to the party or political appellation.

CERTIFICATES OF NOMINATIONS—WHEN FILED.

Filing of certificates of nomination and nomination papers.

SECTION 9. Certificates of nomination and nomination papers of candidates for presidential electors and state offices shall be filed with the secretary of state not less than thirty days previous to the day of the election at which the candidates are to be voted for; certificates of nominations and nomination papers for the nomination of candidates for county offices shall be filed with the county clerk not less than twenty days previous to the day of election; certificates of nominations and nomination papers for the nomination of candidates for offices to be filled by the electors of a district lying within a county shall be filed with the clerk of the county; and for offices to be filled by the electors of a district, circuit or subdivision of a district, composed of two or more counties, with the clerk of the county in the district, circuit or subdivision containing the greatest number of inhabitants, as ascertained by the last federal census, not less than twenty-five days previous to the day of election; certificates of nominations and nomination papers for the nomination of candidates for township or municipal offices, or members of the board of education, shall be filed with the clerk of the township or municipality not less than ten days previous to the election; provided, that in cities where the voters are registered, the nomination of city officers shall be filed with the city board of elections not less than ten days previous to the day of such election.

OBJECTIONS TO CERTIFICATES.

Preservation and inspection of certificates of nomination and nomination papers; objections to

SECTION 10. Certificates of nomination and nomination papers, when filed, shall be preserved and be open, under proper regulation, to public inspection; the certificates of nomination and nomination papers being so filed, if in apparent conformity with the provisions of this act, shall be deemed to

their validity; consideration and decision of such objections, or other questions.

be valid, unless objection thereto is duly made, in writing, within five days after the filing thereof. Such objections, or other questions arising in the course of the nomination of candidates for state offices and presidential electors shall be considered by the secretary of state, and his decision shall be final. Such objections or other questions arising in the course of nominations of candidates for county offices or offices of a district lying within a county shall be considered by the clerk of the county, and objections or questions arising in the course of nomination of candidates for district or circuit offices or offices in a subdivision of a district shall be considered by the county clerks of the several counties comprising the district, circuit or subdivision, and their decision shall be final; but in case no decision can be arrived at, the matter in controversy shall be submitted to one of the judges of the court of common pleas, unless a candidacy for common pleas judge be involved, in which case it shall be submitted to one of the judges of the circuit court, and if the several county clerks can not otherwise agree, such judge shall be chosen by lot; such judge shall summarily decide the question thus submitted to him, and his decision shall be final. Objections and questions arising in the course of nominations for township or municipal offices, or members of the board of education, shall be considered by the clerk of the township or municipality, or both, when township and municipality are interested or parts of either, except that in cities having registration, all such objections shall be considered by the board of elections of such cities; the decision of such clerk or clerks when acting jointly, or board shall be subject to appeal to the clerk of the court, who may submit the question for summary decision to a judge of the court of common pleas, as above; but in municipalities within the terms of this act which are situate in two or more counties, the objection or question may be submitted by the clerk or board thereof directly to the judge. In case an objection is made, or question arises, notice shall forthwith be mailed to the candidates affected thereby, and to any party committee especially interested. It shall be proper for the officers above named, in the decision of any question as to the proper political or party designation of candidates, to distinguish between candidates nominated by certificates of nomination and those nominated by petition or nomination papers; and any party or political designation certified by petitioners in nomination papers may be rejected if, from similarity to the name of any existing party, as defined in section 7, such officers shall deem it likely to mislead or confuse voters.

VACANCIES—HOW FILLED.

Manner of filling vacancy on ticket, or correcting defect in certificate of nomination.

SECTION 11. Should any person so nominated die, withdraw, or decline the nomination, or should any certificate of nomination be insufficient or imperfect, the vacancy thus occasioned may be filled or the defect corrected in the manner required for original nominations, but must be certified to the secretary of state twenty days, or to the county clerk or

other proper officer at least fifteen days previous to election day. If, when the original nomination was certified, there was certified a committee authorized to represent the party as before provided, it may fill such vacancy. The chairman and secretary of such committee shall thereupon make and file with the proper officer a certificate setting forth the cause of the vacancy, the name of the person nominated, the office for which nominated, the name of the person for whom the new nominee is to be substituted, and such other information as is required to be given in an original certificate of nomination. The certificate so made shall be executed, acknowledged and sworn to in the manner prescribed for the original certificate of nomination, and shall, upon being filed with the secretary of state at least twenty days, or with the county clerk or other proper officer fifteen days before election, have the same force and effect as an original certificate of nomination. A vacancy occurring after the printing of the ballots may be filled by filing the proper certificate with the secretary of state at least ten days, and with the county clerk or other proper officer at least five days prior to the election, and the name, office and party of the candidate so nominated, shall be printed on adhesive slips or pasters by the county clerk or board, which shall be delivered to the judges in each precinct before the opening of the polls, and pasted by them in the proper place on the ballot, before the same is handed the elector.

DEVICE ON TICKET.

Device to designate party candidates.

SECTION 12. If the certificate of nomination of any state convention shall request that the figure or device selected by such convention be used to designate the candidates of such party on the ballots for all elections throughout the state, such figure or device shall be so used until changed by request of a subsequent state convention of the same party. Such device may be the figure of a star, an eagle, a rooster, a flower, a plow, or some such appropriate symbol, but the coat of arms or seal of the state or United States, the national flag, or any other emblem common to the people at large, shall not be used as such device.

NOMINATIONS CERTIFIED TO CLERKS.

Transmission of certified copies of certificates of nomination.

SECTION 13. Immediately upon the expiration of the time within which certificates of nomination may be filed with him, the secretary of state shall certify copies of all the certificates so filed to the several county clerks; and the clerk of the county of the district, circuit or subdivision with whom the certificate of district, circuit or subdivision nominations has been filed, shall immediately certify the same to the county clerks in all the other counties in such district, circuit or subdivision. The township clerks and clerks of municipalities, upon the expiration of the time when certificates of nominations may be filed with them, shall imme-

diately certify copies of all certificates so filed with them to the county clerk; except that in municipalities having registration, it shall be the duty of the city board of elections to immediately certify to the county clerk copies of all certificates that have been filed with said board; provided, that certificates of nomination for officers to be voted for in municipalities coming within the terms of this act, which are situate in two or more counties, at the annual April election, shall not be certified to the clerk of the county; but the clerk of the municipality or the board of elections, if registration of voters is required therein, shall have the ballots for such municipality printed and distributed after the mode herein provided for by the clerk of the court in other cases.

April election in certain municipalities.

EXPENSES—HOW DEFRAYED.

How expenses of elections defrayed.

SECTION 14. All expenses arising for printing and distributing ballots, cards of explanation to officers of the election and voters, blanks, and all other proper and necessary expenses of the general election in November, shall be defrayed out of the county treasury as other county expenses, and the county commissioners shall make the necessary levy to meet such expenses; the expense of printing and delivering ballots and cards of instruction, and such other legitimate and necessary expenses as may be connected therewith, including compensation of precinct election officers, in local elections, shall be paid by the city, village or political division in which such local election shall be held, through its proper officers; provided, that in municipalities coming within the terms of this act which are situate in two or more counties, the foregoing expenses for the annual April election shall be defrayed directly by the municipality through its proper officers.

PRINTING AND DISPOSITION OF BALLOTS.

Contracts for printing.

SECTION 15. The printing provided for in this act, except poll-books and tally-sheets, shall be let by the county clerk or board of elections, to the lowest responsible bidder in the county, upon ten days' notice published not more than three times in two leading papers of opposite politics published in such county; after the letting of the contract for the printing of the ballots, the proper officer or board shall secure from the printer and exhibit to the chairman of the local executive committee of each party represented on the ballot, for inspection and the correction of any errors appearing thereon, a printed proof of the ballot to be printed for use at the election; the person to whom the contract for printing the tickets is let, shall, in the presence of the county clerk, seal up securely in packages, one for each precinct, in the county or municipality, as the case may be, the designated number of ballots to be printed for such precinct, and indorse thereon the number of ballots so printed and sealed up, and deliver the same to the county clerk at such time as the said clerk may direct; provided, that in municipalities situate in two or

Submission of proof of ballot.

Sealing, indorsement and delivery of packages of ballots.

Printing and distribution of

more counties, the city clerk shall provide for the printing and distribution of the ballots. ballots in certain municipalities.

In election precincts composed of a township or a part thereof and a municipality or a part thereof, or in precincts composed of two or more townships or parts thereof, and a municipality or part thereof, there shall be provided, for all April and special elections, separate ballots for each township, village or city portion of such precinct, so as to enable electors residing in such precinct to cast their votes for the proper candidates in the respective portions comprising such precinct; and likewise there shall be provided ballots for each school district portion of such precinct which shall contain the names of all the candidates for members of the board of education for which electors residing in such precinct are entitled to vote. This last provision shall apply only where the school district is not coextensive with the boundaries of the municipality. Ballots for April and special elections in certain precincts. Ballots for school district portions of such precincts.

DELIVERY OF BALLOTS, POLL-BOOKS, ETC.

SECTION 16. Not less than three days before an election, the county clerk or city clerk in municipalities situate in two or more counties, shall summon a judge of election in each precinct in such county or municipality, as the case may be, to appear before him forthwith and receive the necessary blanks, poll-books, tally-sheets, certificates, cards of instruction and ballots for such precinct, and shall deliver to such judge the sealed packages of ballots, blanks, poll-books and other required papers, all of which such judge shall safely deliver and have on hand at the polling place in his precinct before the time for the opening of the polls therein, provided, however, that in cities of the first and second class, when the presiding judge or chairman is chosen at the meeting of the registrars and judges of election, on the evening preceding any November election, pursuant to section 2926*n* of the Revised Statutes, or on the Saturday evening preceding any April election, it shall be the duty of such judge, immediately after such meeting, to call at the office of the city board of elections for such packages, and in such cities the county clerk, when required to print the ballots shall deliver the poll-books, tally-sheets, cards of instruction and other supplies herein mentioned to the board of elections of such cities instead of the presiding judges; and provided further, that in any city of the first grade of the first class, the board of elections may, by resolution, provide for the delivery of the ballots through the agency of the police force of such city; and provided further, if the judge summoned to receive and deliver the ballots and other books and papers does not appear, the clerk of the courts or city clerk or board of elections shall send the ballots, books and other required papers to the election officers of the precinct, so as to be received by them in time for the election. Delivery of ballots and other supplies required in conduct of elections. Cities first and second class. Delivery of ballots in Cincinnati. Delivery of supplies when judge summoned fails to appear.

BALLOTS LOST, ETC., HOW REPLACED.

Replacing of supplies lost or destroyed.

SECTION 17. If, by any accident or casualty, the ballots or other required papers delivered to any judge of elections or other messenger shall be lost or destroyed, it shall be the duty of such person charged with the custody thereof, to report the loss at once to the county clerk, or city board of elections, from whom the same were obtained, and make affidavit of the circumstances of the loss, whereupon the county clerk or board of elections shall at once resupply such person; in case such person fail, or refuse to report, and make proof of the loss, any qualified elector may do so, and thereupon a new supply shall be sent by special messenger, as provided in other cases.

Opening of packages.

Where cards of instruction to be placed.

At the opening of the polls in each precinct, the seals of the packages shall be publicly broken, and the packages shall be opened by the presiding officer. The cards of instruction shall immediately be placed in each voting shelf or compartment, provided in accordance with this act for the marking of the ballots, and in such other places as the election officers may select.

Extra ballots.

In case no ballots shall have been delivered at any polling place before the opening of the polls, or if extra ballots shall, at any time during the time the polls remain open, be required, it shall be the duty of the county clerk, city clerk or board of elections, upon a requisition, in writing, signed by a majority of the election judges of such precinct, wherein the reason for demanding such ballots shall be set out, to secure the same as speedily as possible, and if necessary, extra ballots may be printed for this purpose; provided, however, that such ballots shall conform, as nearly as possible, to the original ballots, and the printing and the care of the same shall be under the same provisions and penalties as the printing and care of the other ballots; and if from any cause neither the official ballots nor ballots otherwise prepared as above prescribed, shall be ready for distribution at any polling place, or if the supply of ballots shall be exhausted before the polls are closed, unofficial ballots, may be used so that no elector for lack of a ballot shall be deprived of his franchise.

When unofficial ballots may be used.

FORM OF BALLOTS.

Contents of ballot.

SECTION 18. Every ballot intended for the use of electors, printed in accordance with the provisions of this act, shall contain the names of all the candidates whose nomination for any offices specified in the ballot have been duly made, and not withdrawn in accordance herewith arranged in tickets or lists under the respective party or political or other designation certified. In elections for presidential electors, the names of the candidates for president and vice-president shall be placed on the ticket by the secretary of state immediately following the name of the party and preceding the names of the presidential electors.

Arrangement of tickets or lists of candidates.

The arrangement of the ballot shall, in general, conform as nearly as practicable to the plan hereinafter given. [The] tickets or lists of candidates of the various parties shall be printed in parallel columns, headed by the chosen devices upon a shaded background, and the party names or other designation, in such order as the secretary of state may direct, precedence, however, being given to the party which polled the highest number of votes for the head of the ticket in the next preceding general election, and so on. No ticket or list of candidates shall be printed under the name of any party containing more candidates for any office than are to be elected.

Constitutional amendment or other question.

Whenever the approval of a constitutional amendment or other question is to be submitted to a vote of the people, such question shall be printed on a separate ballot and deposited in a separate ballot-box to be presided over by the same judges and clerks.

Form of ballot.

The ballot shall be so printed as to give each elector a clear opportunity to designate by a cross mark in a large blank circular space three quarters of an inch in diameter below the device and above the name of the party at the head of the ticket or list of candidates, his choice of a party ticket and desire to vote for each and every candidate thereon; and by a cross mark in a blank inclosed space on the left and before the name of each candidate, his choice of particular candidates.

Indorsement.

On the back shall be printed, "official ballot," the date of the election, and facsimile of the signature of the officer or officers who have caused the ballot to be printed.

Printing, perforation, binding and designation of ballots.

The ballots shall be printed on the same leaf, with a double stub, and separated therefrom by a perforated line, and shall be bound with the stub attached thereto, into books, or blocks, one for each voting precinct, which book or block shall contain at least twice as many ballots as there were votes cast at such precinct at the preceding general election; upon the covers of such books or blocks shall be printed the designation of the precinct for which the ballots have been prepared.

Main stub.

The main stub shall be printed as follows: Consecutive number—[after these words the consecutive number shall be printed, beginning with one and increasing in regular numerical order]; provided, however, that the county clerk may direct that such consecutive numbers shall not be printed, but shall be written by the ballot officer before delivering the ballot to the elector.

Name of voter—[after these words the clerk shall write the voter's name].

Residence—[after this word the clerk, in cities where registration is required, is to write the voter's residence].

Secondary stub.

The secondary stub shall be printed as follows: Name of voter or registered number—[after these words the clerk, in precincts where the registration law is in force, shall write the registered number of the voter, and in other precincts the voter's name].

[Main stub.]

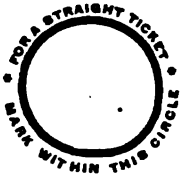
Consecutive number _____

Name of voter _____

Residence _____

[Secondary stub.]

Name or registered number of voter _____

Device.	Device.	Device.
		
Republican Ticket.	Democratic Ticket	Prohibition Ticket.
For Governor, Name.	For Governor, Name.	For Governor, Name.

All ballots shall be printed on the best quality No. 2 book paper, in black ink, and with the exception of the heading which shall be in display, in brevier type, the name or designation of the office in lower case, and the name of the candidate therefor in capital letters, with a space of at least one-fifth of an inch following each name; the name of each candidate shall be printed in a space defined by ruled lines, and with a blank square on its left enclosed by heavy dark lines; if, upon any ticket, there be no candidate or candidates for a designated office, a blank space equal to the space that would be occupied by such name or names, if they were printed thereon, with the blank spaces herein provided for, shall be left. The heading of each party ticket including the name of the party, the device above and the large circle between the device and such name, shall be separated from the rest of the ticket by a heavy line, and the circle above the name of the party in which the voter is to place the cross mark, if he desire to vote the straight ticket, shall be defined by heavier lines than the lines defining the blank spaces before the names of candidates, and such circle shall be surrounded by the following words printed in heavy-face nonpareil type: "For a straight ticket mark within this circle." General provisions relating to printing of ballots.

Each party ticket shall be separated from other party tickets and bordered on either side by a heavy border or a broad solid line at least one-eighth of an inch wide, and the edges of the ballot on either side trimmed off up to the border or solid line described. Separation of party tickets, and borders.

BOOTHS, GUARD-RAILS, ETC.

SECTION 19. The county clerks shall cause the polling places in their respective counties to be suitably provided with a sufficient number of ballot-boxes and at any April or special election in election precincts composed of a township or a part thereof, or in precincts composed of two or more townships or parts thereof, and a municipality or a part thereof separate ballot-boxes for each village and township portion, one for each township portion, and one for the school district portion of such precinct. This last provision shall apply only when the school district is not coextensive with the boundaries of the municipality. Ballot-boxes.

Said clerks shall also provide a sufficient number of voting shelves, at which electors may conveniently mark their ballots, so that in the marking thereof they may be screened from the observation of others, and a guard-rail shall be so constructed and placed that only such persons as are inside said rail can approach within six feet of the ballot-boxes or of such voting shelves. The arrangements shall be such that neither the ballot-boxes nor the voting shelves shall be hidden from view of those outside the said rail. The number of such voting shelves shall not be less than one for every seventy-five electors qualified to vote at such polling place. No person other than the judges of election and such officers as are provided for by the statutes of this state or of the United States, and electors admitted as herein pro- Voting shelves and guard-rails.

Arrangement of ballot-boxes and voting shelves.

Number of voting shelves required.

Who permitted within rail.

vided, shall be permitted within said rail, except by authority of the election officers, for the purpose of keeping order and enforcing the law. Each voting shelf shall be kept provided with proper supplies and conveniences for marking the ballots. After each election the judges of election shall see that the booths, guard-rails and other equipments are returned to the clerk of the township or corporation in which the precinct is situated, for safe keeping, and it shall be the duty of such clerk to have such booths and equipments on hand and in place at the polling place in each precinct before the time for opening the polls on election day, and for this service the clerk of the court may allow the necessary expense incurred; provided, that where a board of election is established by law, this duty shall devolve on such board.

Supplies for marking ballot.

Return of booths, guard-rails, etc.

Placing of such equipments for elections.

CHALLENGERS — OATH.

Appointment and privileges of party challengers.

SECTION 20. Two challengers may be appointed by the precinct committeeman of each political party having candidates to be voted for at such election, who shall be admitted to the polling place for the purpose of challenging electors in such precincts where the voters are not registered, and they may keep tally of the electors voting; the challengers shall serve without compensation from the county, city, village or township, and shall take the following oath, to be administered by one of the judges of election:

Oath of challengers.

You do solemnly swear (or affirm) that you will support the constitution of the United States and of this state; that you will faithfully and impartially discharge the duties as official challenger, assigned by law; that you will not cause any delay to persons offering to vote further than is necessary to procure satisfactory information of the qualification of such person as elector, and that you will not disclose or communicate to any person how any elector has voted at such election.

Challenges.

Any voter may be challenged by any challenger, judge or clerk of the election, and, if challenged, shall establish his right to vote as now provided by law. Any elector of the precinct may notify the judges of election, in writing, that he challenges the right of any person or persons to vote, giving the reasons, and such person or persons shall be deemed challenged as above.

BALLOT — HOW PREPARED.

Entry of name, residence and registered number of elector upon stubs of ballot.

SECTION 21. Any person desiring to vote and legally entitled to vote at such election shall give his name, and in precincts where the registration law is in force his residence to the election officer holding the ballots, who shall write the same upon the main stub of the ticket in the blank space provided therefor. Such officer shall then mark upon the secondary stub the elector's registered number, in all precincts in which a registration law is in force, and in all other precincts the elector's full name.

Delivery of ballot to elector.

One of the election officers shall then detach the ballot, with the secondary stub attached, from the main stub, fold

the same, and shall hand it to the elector, and the elector shall be allowed to enter the place inclosed by the guard-rail. The officer shall give him one, and only one ballot.

General provisions relating to preparation of ballot.

On receipt of his ballot, the elector shall forthwith, and without leaving the enclosed space, retire alone to one of the voting shelves, and without undue delay unfold and mark his ballot as hereafter described. No elector shall be allowed to occupy a voting shelf already occupied by another, or to occupy a voting shelf for more than five minutes, in case all the shelves are in use and electors waiting to occupy the same, or to speak to or converse with any one, except as herein provided while within the guard-rail. All marks upon the ballot must be made by black lead pencil. If an elector soil or deface a ballot so that it can not be used, he may successively obtain others, one at a time, not exceeding in all three, upon returning each ballot so soiled or defaced, which shall be immediately destroyed; provided, if an elector who has defaced three ballots, shall satisfy the judges that the same were defaced by accident or honest mistake, and not for any fraudulent purpose, the judges shall deliver him another ballot and help him mark the same.

Rules for marking:

The elector shall observe the following rules in marking his ballot:

For a straight ticket.

1. If the elector desire to vote a straight ticket, or in other words for each and every candidate of one party for whatever office nominated, he shall, either,

(*a*) Make a cross mark in the circular space below the device and above the name of the party at the head of the ticket; or.

(*b*) Make a cross mark on the left of and opposite the name of each and every candidate of such party in the blank space provided therefor.

For a mixed ticket.

2. If the elector desire to vote a mixed ticket, or in other words, for candidates of different parties, he shall, either,

(*a*) Omit making a cross mark in the circular space above the name of any party, and make a cross mark in the blank space before the name of each candidate for whom he desires to vote on whatever ticket he may be; or,

(*b*) Make a cross mark in the circular space above the name of a party, some of whose candidates he desires to vote for, and then make a cross mark before the name of any candidate of any other party for whom he may desire to vote; in which case, the cross mark in the circular space above the name of a party will cast the elector's vote for every candidate on the ticket of such party, except for offices for which candidates are marked on other party tickets, and the cross marks before the names of such candidates will cast the elector's vote for them; provided, that where two or more persons for the same office are to be voted for in any precinct, as two or more representatives or other officers, and the names of several candidates therefor appear on each party ticket grouped under the office for which all are running, the elector who has marked a ticket in the circular space at its head, and marked one or more of a group of candidates for such office on another ticket or tickets,

When two or more persons are to be elected to same office.

must in addition to marking the ticket in the circular space at its head, also make a cross mark before each one of the group of candidates for such office for whom he desires to vote on the ticket thus marked; or instead of marking the candidates for such office he desires to vote for on the ticket marked by him, he may erase the names of candidates for such office whom he does not desire to vote for on the ticket thus marked by him to the number of candidates for such office marked by him on other party tickets, in which case his vote shall be counted for the candidates for such office not erased; and provided further, if an elector who has thus marked a party ticket in the circular space at the head thereof and marked one or more candidates on another ticket or tickets for an office for which there are more than one candidate on his own party ticket, fail or neglect to indicate either by individual marks or by erasures, as aforesaid, which of the several candidates for the same office on his own party ticket he desires to vote for, then and in such event, the vote shall be counted only for the candidate or candidates for that office that have the distinguishing mark before his or their names.

Surplus marks. If, in marking either a straight or mixed ticket as above defined, a cross mark is made in the circular space above the name of a party at the head of the ticket, and also one or more cross marks made before the name or names of candidates on the same ticket for offices for which candidates on other party tickets are not individually marked, such marks before the names of candidates on the ticket so marked, shall be treated as surplusage and ignored, and the ballot be counted for all the candidates on the ticket thus marked for offices for which no candidates on other tickets are marked; but this provision is subject to the exception in the proviso in the last paragraph, where two or more persons for the same office are grouped on party tickets.

Submission of question. In the case of a question submitted, the elector shall make a cross mark in the blank space on the left of and before the answer which he desires to give.

Substitution of name of person not on ticket. If the elector desires to vote for any person whose name does not appear on the ticket, he can substitute the name by writing it in black lead pencil or black ink in the proper place, and making a cross mark in the blank space at the left of the name so written.

When ballot not to be counted for certain office. If the elector mark more names than there are persons to be elected to an office, or if, for any reason, it is impossible to determine the voter's choice for an office to be filled, his ballot shall not be counted for such office.

Disregard of technicalities. No ballot shall be rejected for any technical error which does not make it impossible to determine the voter's choice.

BALLOT—HOW CAST.

Folding of ballot. SECTION 22. Before leaving the voting shelf the elector shall fold his ballot without displaying the marks thereon, and so as to conceal the same, but show the indorsements

and facsimile of the signatures of the proper clerk or board, and keep the same so folded until he has delivered the ballot to the presiding officer.

Receipt of ballot; disposition of secondary stubs; regulation as to marking and voting.

One of the election officers shall receive the ballot, detach the secondary stub bearing the elector's registered number or name, and examine such stub for the purpose of identification, and deposit the ballot in the ballot-box; the secondary stubs shall be preserved until the polls are closed and shall then be destroyed before the ballot-box is opened; the elector shall mark and vote his ballot without undue delay, and shall leave said inclosed place as soon as he has voted.

Who permitted to reënter inclosed place; number of electors permitted within rail at one time.

No elector, not an election officer, shall be allowed to reënter said inclosed place during said election except for the purpose of voting. No more electors shall be allowed to enter within said rail at any one time than there are voting shelves provided. It shall be the duty of the judges of election to secure the observance of the provisions of this section.

Return of unvoted ballots.

Every elector who does not vote a ballot delivered to him by the ballot officer shall, before leaving the polling place, return such ballot to such officer.

Assistance of judges in marking ballot.

Any elector who declares to the presiding judge of election that for any reason he is unable to mark his ballot shall, upon request, receive the assistance in the marking thereof, of two of the judges of election, belonging to different political parties, and they shall thereafter give no information in regard to the matter. The presiding judge may, in his discretion, require such declaration of disability to be made by the elector under oath before him.

Ballots permitted to be deposited and counted.

No ballot without the official indorsement shall be allowed to be deposited in the ballot-box, and none but ballots provided in accordance with the provisions of this act shall be counted.

POLLS CLOSED—UNUSED BALLOTS DESTROYED.

Appointment and privileges of party inspectors.

SECTION 23. The county executive committee of each party having a ticket to be voted at an election may designate a suitable person to be present as inspector and witness and inspect the counting of the votes in each precinct, and who shall be admitted to said voting place, and who shall be entitled to a copy of the certificates provided for in this act, but no other person except the election officers shall be admitted to said polling place before or after the count begins.

Who admitted to polling place

Certificate and proclamation of votes cast.

Immediately upon the close of the polls, the number of electors entered and shown on the poll-books as having voted, shall be first certified therein and signed by the board of judges and the clerks; and before any other or further proceedings the president or chairman of the board shall make proclamation in a loud voice outside of the polling room, stating the number of voters so shown and certified on the poll-books.

Destruction of unvoted ballots.

Thereupon, the judges shall, in the presence of the clerks and the inspectors above provided for, destroy the ballots remaining unvoted.

CANVASS OF VOTES.

Manner of canvassing, entering and enumerating votes.

SECTION 24. The ballot boxes shall then be opened and the ballots therein shall be taken out, one at a time, by one of the judges who shall read aloud distinctly, while the ticket remains in his hands, the name, or names voted for thereon, except that a straight ticket may be announced as such and be so counted, and then delivered to the second judge, who shall examine the same and pass it to the third judge, and so on to the fourth, who shall preserve it; and the same method shall be observed in respect to each of the tickets taken out of the ballot-box until the number taken out of the ballot-box is equal to the number of names in the poll-books. The clerks shall enter in separate columns by tallys under or opposite the names of the persons voted for, as provided in the form of tally-sheets, all the votes thus read by the judges. After the examination of the ballots has been completed the number of votes for each person shall be enumerated under the inspection of the judges, and set down as provided in the form of the tally-sheets; when the result of the ballot is ascertained it shall be immediately announced by one of the judges in front of the polling place, and a copy thereof, certified by the judges and clerks, posted on the front of the polling place, and a certified copy thereof given to the persons hereinafter designated as being entitled to be present at the counting of the votes. When all these requirements are complied with, the judges shall, in the presence of the clerks and the inspectors, destroy by burning the ballots so read and counted, and also any ballots remaining in the box in excess of the number of names in the poll-books; provided, however, if there are any ballots cast and counted or left uncounted concerning the legality of which there is any doubt or difference of opinion in the minds of the judges of election, said ballots shall not be destroyed, but sealed up and returned to the clerk of the court with the returns of the election for such judicial or other investigation as may be necessary, with a true statement as to whether they have or have not been counted, and if counted what part and for whom.

Announcement of result, and certified copies thereof.

Destruction of ballots counted and excess ballots.

Preservation of disputed ballots.

TRANSMISSION OF RETURNS.

Making, transmission and preservation of returns, tally-sheets and poll-books.

SECTION 25. After canvassing the votes, the judges and clerks shall make out the returns of the election and the tally-sheets thereof in duplicate, signed and certified as required by law; one copy thereof shall be immediately transmitted to the clerk of court by one of the judges; the other poll-book and tally-sheet shall be forthwith deposited with the clerk of the township or the clerk of the municipal corporation, as the case may require, by another judge, to be preserved for one year after the date of such election. Such returns shall be securely sealed up in an envelope and addressed transversely upon the upper end thereof to the proper officer with whom they are to be deposited, with the designation of the township, precinct and county; provided, that in cities of

Cities of the first class.

the first class such delivery shall be made as now provided by law.

Period during which judges and clerks shall not separate, nor leave polling place, under penalty.

From the time the ballot-box is open and the count of votes begun, until the votes are counted and the returns made out, signed and certified, as required by law, and delivered to the judges selected for such duty for transmission, the judges and clerks of the precinct shall not separate, nor any judge or clerk leave the polling place except from unavoidable necessity, under penalty of a fine of not less than fifty nor more than one hundred dollars.

PRINTING FALSE BALLOT.

Penalty for offenses pertaining to printing or use of ballots.

SECTION 26. Any printer employed to print the officia ballots, or any person engaged in printing the same, who shall print or cause or permit to be printed, any official ballots printed otherwise than according to the copy for the same furnished him by the said clerk or board of elections, or any false or fraudulent ballots, or who appropriates to himself or gives or delivers or knowingly permits to be taken any of said ballots by any other person than the said clerk or board, or who knowingly and wilfully seals up or causes or permits to be sealed up or delivers to the said clerk or board, a less number of ballots than the number indorsed thereon; and any person who shall knowingly have in his possession any official ballot illegally obtained, or shall knowingly attempt to vote any other than an official ballot lawfully obtained, shall be deemed guilty of a misdemeanor, and be fined not less than two hundred and fifty nor more than one thousand dollars, or be imprisoned not less than thirty days nor more than six months or both.

Penalty for offenses pertaining to custody or delivery of ballots, blanks, poll-books, cards of instruction, etc.

SECTION 27. Any judge or clerk of election, or printer or other person entrusted with the custody or delivery of ballots, blanks, poll-books, cards of instruction or other required papers, who shall unlawfully open or permit to be opened, any sealed package containing ballots, or who shall give or deliver to any person not lawfully entitled thereto, or shall unlawfully misplace or carry away, or shall negligently lose, or permit to be taken from him, or fail to deliver, or shall, except as in this act provided, destroy any such package of ballots, or any ballot, blank, poll-book, card of instruction, or other required paper, shall be fined not less than one hundred dollars, nor more than one thousand dollars, or imprisoned in jail not more than one year, or both.

DESTROYING, DEFACING BALLOTS, ETC.

Penalty for offenses pertaining to certificates of nomination, nomination papers, letters of withdrawal, ballots, cards of instruction, supplies for marking bal-

SECTION 28. Any person who shall falsely make or wilfully deface or destroy any certificate of nomination, or nomination papers, or any part thereof, or any letter of withdrawal, or sign any such certificate or paper contrary to the provisions of this act, or file any certificate of nomination, or nomination paper or letter of withdrawal, knowing the same or any part thereof to be falsely made, or suppress any certificate of nomination or nomination paper, or any part

lots, delaying voters, etc.

thereof, which has been duly filed, or forge or falsely make the official indorsement on any ballot; or shall wilfully deface, tear down, remove or destroy any card of instructions or specimen ballot printed and posted for the instruction of voters, or during an election wilfully remove or destroy any of the supplies or conveniences furnished to enable a voter to prepare his ballot, or shall wilfully destroy or deface any ballot, or shall take or remove or be found in the possession of any ballot outside of the inclosure provided for voting before the close of the polls, or shall wilfully hinder or delay the delivery of any ballots, or shall wilfully hinder or delay the voting of others, shall be punished by a fine of not less than one hundred dollars, and not more than one thousand dollars, or imprisonment in jail not more than one year, or by both fine and imprisonment.

MISLEADING VOTER—PENALTY.

Penalty for misleading voter, or disclosing how he voted.

SECTION 29. Any judge or clerk who shall mislead an illiterate voter or a voter who is blind or for any reason unable to prepare his ballot, or who shall prepare a ballot for such voter otherwise than as directed by him, or who shall disclose to any person, except when legally required to do so, how such voter directed his ballot to be prepared, or how he voted, shall be fined not less than one hundred nor more than one thousand dollars, and imprisoned in the jail not less than three nor more than twelve months.

PENALTY — EXPOSING BALLOT, DECEIVING ELECTOR, ETC.

Penalty for offenses pertaining to marking of ballots, voting, etc.

SECTION 30. Any elector who shall, except as otherwise herein provided, allow his ballot to be seen by any person, with an apparent intention of letting it be known how he is about to vote, or shall purposely mark his ballot so it may be identified after it has been cast, or who shall make a false statement as to his inability to mark his ballot, or any election officer who shall deceive any elector in marking his ballot, or mark the same in any way other than as requested by such elector, under the provisions of this act, or any person who shall interfere, or attempt to interfere, with any elector when inside said inclosed place, or when marking his ballot, or shall attempt to speak or converse with any person while within the guard-rail, except as herein provided, or who shall endeavor to induce any elector, after voting, to show how he has marked his ballot, shall be punished by a fine of not less than twenty-five dollars nor more than five hundred dollars, or by imprisonment in the jail not more than six months, or by both such fine and imprisonment.

PENALTY FOR NEGLECT OF DUTY.

Penalty for violation, neglect, or

SECTION 31. Any public officer upon whom a duty is imposed by this act who shall wilfully or negligently violate his said duty; or who shall wilfully neglect to perform such

duty, or who shall wilfully perform it in such a way as to hinder the objects of this act, or who shall wilfully disobey any provision of this act, shall be punished by a fine of not less than fifty dollars nor more than one thousand dollars, or by imprisonment in jail not more than one year, or by both such fine and imprisonment.

Wrong performance of duty, or disobedience, by public officer.

GIVING BRIBE.

SECTION 32. Whoever, directly or indirectly by himself or through any other person, either,

Penalty for giving bribe.

1. Gives or lends, or offers or promises to give or lend, or to procure or endeavor to procure, any money or other valuable consideration, to or for any elector, or to or for any other person, to induce any elector to register or refrain from registering for any election, or to vote or refrain from voting at any election, or to vote or refrain from voting at such election for any particular person or persons, or question or proposition, or on account of any such elector having registered or refrained from registering, or voted or refrained from voting, or voted or refrained from voting for any particular person or persons, or question or proposition; or,

2. Gives, offers or procures or promises to procure, or endeavors to procure, any office, place or employment, to or for any elector or to or for any other person, in order to induce any elector to register, or refrain from registering, for any election, or to vote or refrain from voting at any election, or to vote or refrain from voting at such election for any particular person or persons, or question or proposition; or,

3. Advances or pays, or causes to be paid any money or other valuable thing to or for the use of any other person, with the intent that the same or any part thereof shall be used in bribery at any election, shall be fined not more than five hundred dollars, or imprisoned in the penitentiary not more than three years, or both.

RECEIVING BRIBE.

SECTION 33. Whoever, being an elector, directly or indirectly, by himself or through any other person, receives, agrees or contracts for, before, during or after an election, any money, gift, loan or other valuable consideration, office, place or employment, for himself or any other person, for registering or agreeing to register, or for refraining or agreeing to refrain, from registering for any election, or for voting or agreeing to vote, or for refraining or agreeing to refrain from voting at any election, or for voting or agreeing to vote, or refraining or agreeing to refrain from voting for any particular person or persons, or proposition or question, at any election, shall be fined not more than five hundred dollars or imprisoned not more than one year, or both.

Penalty for receiving bribe.

INTIMIDATING VOTER.

Penalty for intimidating voter, or impeding or preventing free exercise of elective franchise.

SECTION 34. Whoever, directly or indirectly, by himself or through any other person, makes use of, or threatens to make use of, any force, violence or restraint, or inflicts, or threatens to inflict, any injury, damage, harm or loss, or threatens to enforce the payment of a debt against, or to begin a criminal prosecution against, or to injure the business or trade of, or in any manner practices intimidation upon or against any person, in order to induce or compel such person to vote or refrain from voting, or to vote or refrain from voting for any particular candidate or candidates; or if any employer of laborers, or an agent of such employer, whether a corporation or otherwise, does any of the acts aforesaid, or threatens to withhold or reduce the wages of, or to dismiss from service any employe, in order to induce or compel such employe to vote or refrain from voting for any particular candidate or candidates at any election; and whoever, by any sort of duress, constraint or improper influence, or by any fraudulent or improper device or contrivance, impedes or prevents, or otherwise interferes with the free exercise of the elective franchise of any elector, shall be fined not more than two thousand dollars or imprisoned in the penitentiary not more than three years, or both.

OFFENDER COMPELLED TO TESTIFY.

Limitation as to prosecutions under penal sections.

Competent witness in prosecutions for bribery, intimidation or impeding or preventing free exercise of elective franchise.

SECTION 35. Prosecutions under all the penal sections of this act and of the Revised Statutes appertaining to the conduct of elections, must be commenced within six months after the commission of the act complained of. A person offending against any provision of sections 32, 33 and 34 of this act is a competent witness against another person so offending, and may be compelled to attend and testify upon any trial, hearing or investigation, in the same manner as any other person. But the testimony so given shall not be used in any prosecution or proceeding, civil or criminal against the person so testifying. A person so testifying shall not be liable thereafter to indictment, prosecution or punishment, for the offense with reference to which his testimony may be given, and may plead or prove the giving of testimony accordingly, in bar of such an indictment or prosecution. When a person is convicted of any offense described in section 32 of this act, he shall, in addition to the punishment therein prescribed, forfeit any office to which he may have been elected at the election with reference to which such offense was committed, and when a person is convicted of any offense mentioned in section 33 of this act, he shall, in addition to the punishment therein prescribed, be excluded from the right of suffrage for a period of five years after such conviction.

Forfeiture of office for giving bribe.

Disfranchisement for receiving bribe.

COMPENSATION COUNTY CLERK.

Compensation of county clerk.

SECTION 36. The county clerk shall receive for his services under this act such compensation, not exceeding two hun-

dred dollars in any one year, as the county commissioners may deem just and proper.

Compensation of judges and clerks of election.

The judge of election called by the county clerk to receive and deliver the ballots, poll-books, tally-sheets and other required papers, shall receive two dollars for such service, and in addition thereto mileage at the rate of five cents per mile to and from the county seat if he live one mile or more distant therefrom. The judge of the election carrying the returns to the clerk of the court shall receive like compensation. Judges and clerks shall each receive as compensation the sum of three dollars for each election; provided however, that in cities where registration is required the compensation shall remain as now fixed by law.

Duties of boards of elections in counties containing cities of the first class.

SECTION 37. In counties containing cities of the first class, the election precincts of the county outside of the city, shall be held and deemed to be election precincts of the city for the purpose of conducting elections under this act, and the board of elections heretofore provided for such cities by section 2926*b* of the Revised Statutes, shall, in their respective counties, perform the duties imposed upon the clerks of the court by this act. In counties containing cities of the second class, the boards of elections heretofore provided for said cities, shall have the powers and be subject to the duties prescribed in section twenty-nine hundred and twenty-six of the Revised Statutes, and supplemental sections, as heretofore amended, except that all the returns of the November election shall, in such counties, be made to the clerks of the court as provided by law; and, in addition thereto, such boards shall, in the conduct of municipal elections, have all the powers and duties and be subject to all the provisions, penalties, and requirements of the county clerks prescribed in this act.

Powers and duties of boards of elections in counties containing cities of the second class.

Powers and duties of boards of elections and deputy supervisors in counties other than those containing cities of the first class.

In all counties other than counties containing cities of the first class, in or for which there is or may be established a board of elections or deputy supervisors of election, or other officer or officers, whose duty it is to receive and canvass the returns of elections in and for such county or counties, and transmit abstracts thereof, such board or deputy supervisors or other officer or officers, shall, in their respective counties in the conduct of elections, have all the powers and perform all the duties conferred and imposed by this act on the clerks of the court, and be subject to the same provisions, penalties and requirements; provided, that in the consideration and decision of objections and questions arising in the course of a nomination for an office of a circuit or district composed of more than one county, the chief deputy supervisor or presiding canvassing officer of the county, shall act for his associates. Judges and clerks appointed for the several precincts of a county by such board of elections or deputy supervisors or other officer or officers, shall serve as such in the conduct of all elections under this act in preference to the judges and clerks provided by law and by section five hereof, and shall perform all the duties and exercise all the powers

When chief deputy or presiding canvassing officer to act for associates.

Judges and clerks appointed by such election officers.

and be subject to all the penalties imposed, conferred or prescribed by this act upon judges and clerks of elections.

Repeals.

SECTION 38. Sections 7064 and 7065 of the Revised Statutes, and an act entitled "An act to provide for the mode of conducting elections, to insure the secrecy of the ballot and prevent fraud and intimidation at the polls, and to repeal certain statutes therein named," passed April 30, 1891; also an act entitled "An act to amend section one of an act entitled 'an act to provide for the mode of conducting elections, to insure the secrecy of the ballot and prevent fraud and intimidation at the polls, and to repeal certain statutes therein named,' passed April 30, 1891," passed March 18, 1891 [1892]; also an act entitled "An act to provide for the division of precincts other than in cities of the first, third and fourth grades of the first class, and in cities of the second class," passed February 18, 1892; also "An act to amend section twenty of an act entitled 'an act to provide for the mode of conducting elections, to insure the secrecy of the ballot and prevent fraud and intimidation at the polls, and to repeal certain statutes therein named,' passed April 30, 1891," passed March 31, 1892, are hereby repealed.

SECTION 39. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed April 18, 1892.
808G

[House Bill No. 960.]

AN ACT

To provide for compensation of supervisor of elections of the state of Ohio.

Compensation of state supervisor of elections.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the state supervisor of elections shall receive as compensation for his services in said capacity the sum of one thousand dollars, to be paid within ten days after each state election.

SECTION 2. This act shall be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892.
353G

[House Bill No. 855.]

AN ACT

To create a state supervisor of elections with deputy state supervisors for the conduct of elections in the state of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there is hereby created the offices of state supervisor of elections and of deputy state supervisors of elections, with the powers and duties hereinafter prescribed, for the conduct and supervision of all elections in this state, except for school directors and road supervisors. State supervisor and deputy state supervisors of elections.

SECTION 2. By virtue of his office the secretary of state shall be the state supervisor of elections, and in addition to the duties now imposed on him by law, shall perform the duties of such office as defined herein. State supervisor of elections.

SECTION 3. On or before the first Monday in August, 1892, such state supervisor shall appoint four deputy state supervisors for each county in this state, who shall be qualified electors of the county for which appointed. For the first appointment, two members shall be appointed for a term of one, and two for a term of two years from the first Monday in August, 1892. One member so appointed for one year and one for two years shall be from the political party which cast the highest number of votes at the last preceding November election for governor or secretary of state. The other two members shall be appointed from the political party which cast the next highest number of votes for such officer at said November election. Thereafter appointments shall be made annually for two deputy state supervisors for each county for the term of two years, which appointments shall be from two political parties which cast the highest and next highest number of votes at the last preceding November election for governor or secretary of state. All vacancies shall be filled and all appointments to new terms made from the political party to which the vacating or outgoing member belongs, unless there be a third political party which cast a greater number of votes in this state than did the party to which the retiring member belonged, at the next preceding November election, in which event the vacancy shall be filled from such third party. Provided, that if the executive committees of the two political parties in the county casting the highest and next highest number of votes in this state at the last preceding November election, recommend qualified persons to the state supervisor at least ten days before the appointment is made, then the state supervisor shall appoint the persons so recommended to the number to which said party is entitled, but if no such recommendation is made the state supervisor shall make the appointments agreeably to the provisions herein contained. Any deputy state supervisor may be removed by the state supervisor for misfeasance or malfeasance in office, or other good and sufficient cause. Provided further, that in counties containing cities of the first class, the boards of election heretofore provided for such cities by section 2926 Appointment, qualifications and terms of deputy state supervisors. Vacancies. Recommendations by party executive committees. Removals. Powers and duties of boards of elections in coun-

ties containing cities of the first class.

and all sections supplementary thereto, of the Revised Statutes, shall have all the powers and perform all the duties for such counties imposed and conferred by this act on deputy state supervisors.

Powers and duties of boards of elections in counties containing cities of the second class.

In counties containing cities of the second class, the board of elections heretofore provided for said cities shall have the power and be subject to the duties prescribed in section 2926 of the Revised Statutes, and supplemental sections as heretofore amended, except that all the returns of the November election shall in such counties be made to the deputy state supervisors as hereinafter provided; and, in addition thereto, such board shall, in the conduct of municipal elections, have all the powers and duties and be subject to all the provisions, penalties and requirements of the deputy state supervisors prescribed in this act.

Selection and term of chief deputy and clerk.

SECTION 4. In all counties except counties containing cities of the first class, the deputy state supervisors for such county shall, at least thirty days previous to the November election in each year, meet in the office of the county commissioners and organize by selecting one of their number as chief deputy, who shall preside at all meetings, and a resident elector of such county, other than a member of the board, as clerk, both of which officers shall continue in office for one year. The balloting for such officers shall commence at or before one o'clock p. m., on the day of convening, and at least one ballot shall be taken every twenty minutes until such organization is effected. The clerk shall be first selected and if, after five ballots, no person shall be agreed upon as clerk, the clerk shall be selected by lot from two persons of opposite politics, to be nominated by the deputy supervisors, the two deputy supervisors of the same politics to name one candidate for clerk, and the two deputies of opposite politics to name the other. After the selection of the clerk the chief deputy shall be selected from the deputies of opposite politics to that of the clerk, and if upon the first ballot no person shall be agreed upon as chief deputy, the deputy of opposite politics to the clerk having the shortest term to serve, shall be and act as the chief deputy, presiding at all meetings.

Salary of clerk.

The clerk shall be paid a salary in quarterly installments, not to exceed one hundred dollars per year, which compensation shall be fixed by the deputy supervisors for the respective counties.

Sessions of deputy supervisors; publication of notice for bids for printing.

At such meeting for organization, the deputy supervisors may remain in session not more than two days for the purpose of organization and receiving instructions from the state supervisor as to their duties, and may at such time provide for the publication of a notice for bids for printing ballots, cards of instruction and other necessary blanks and papers required by law to be printed by the clerk of the court or board of elections or other canvassing officer or officers of the county in the conduct of elections therein. Such deputy supervisors shall meet on the twelfth day before each election and shall remain in session for such length of time as may be necessary, and shall adjourn to such day as their duties pre-

scribed by law may require. For attending all meetings, the deputy supervisors shall receive as compensation the sum of two dollars per day, not to exceed twenty days in any one year, and mileage at the rate of five cents a mile, going to and returning from the county seat, if the distance be more than one mile. The compensation above provided for, and all proper and necessary expenses in the performance of the duties of such deputy supervisors, shall be defrayed out of the county treasury as other county expenses, and the county commissioners shall make the necessary levy to meet the same.

Compensation of deputy supervisors.

Payment of compensation and expenses.

SECTION 5. The secretary of state is hereby authorized and required to collate and publish all the election laws in force applicable to the conduct of elections. There shall be four thousand copies of such election laws printed, three thousand five hundred to be bound in paper and five hundred to be bound in cloth, which shall be distributed in proportion to the number of voting precincts in each county, such distribution to be made in each county by the deputy supervisors therefor.

Collation, publication and distribution of election laws.

SECTION 6 At least ten days before the annual November election, the deputy supervisors for each county shall appoint in all precincts in which voters are not registered, four judges and two clerks of election, residents of the precincts, who shall constitute the election officers of such precinct; the deputy supervisors shall designate one judge in each precinct to act as presiding judge. The terms of the judges and clerks shall cease and determine at the end of one year from the date of their appointment, at which time and annually thereafter, their successors shall be appointed to similar term of office, agreeably to the provisions of this act.

Appointment of judges and clerks of election

Presiding judge; terms of judges and clerks.

Not more than two judges and not more than one clerk shall belong to the same political party. If a judge or clerk in any precinct fail to appear on the morning of the election, the electors present shall, viva voce, choose a suitable person, having the qualifications of an elector, to fill the vacancy from the political party to which the absent judge or clerk belonged.

Apportionment of judges and clerks politically; vacancy in office.

In municipalities, the councilmen shall be, ex officio, judges of election, and the clerk of such municipality shall be one of the clerks of election in the precinct in which he resides; provided, that in case more than two councilmen belonging to the same political party be residents of the same election precinct, the deputy supervisors may designate which of the councilmen shall serve as judges of election in such precinct.

Ex officio judges and clerks in municipalities.

In township precincts the clerk of the township shall be, ex officio, a clerk of election of the precinct in which he resides, and the trustees of the townships shall be, ex officio, judges of election; except that in townships not divided into election precincts, if all of the trustees be of the same political party, those two only whose terms expire in one and two years shall be, ex officio, judges of such precinct. It is hereby made the duty of township clerks and clerks of municipalities, at least twenty days before any November election, to certify to the deputy supervisors the names, addresses, politics

Ex officio judges and clerks in township precincts.

Certification of persons entitled, ex officio, to be judges and clerks.

and precincts of all persons entitled, ex officio, to be judges and clerks of election.

Vacancy in office of judge or clerk.

If, at the opening of the polls in any precinct, there shall be a vacancy in the office of clerk or judge of election, the same shall be filled by the electors present and from the political party which is entitled to such vacant office under the provisions of this act.

Compensation of judges and clerks.

The judges and clerks shall each receive as compensation the sum of two dollars for each election; provided, however, that in cities where registration is required, the compensation of judges and clerks of election shall remain as now fixed by law.

OATH OF OFFICE.

Oath of deputy supervisors.

SECTION 7. Each deputy supervisor of elections shall, before entering upon his duties, appear before some person authorized to administer oaths and take and subscribe to the following oath, which shall be filed with the clerk of the court of common pleas in the county where such deputy resides:

State of Ohio, ——— *County, ss.:*

I do solemnly swear (or affirm) that I will support the constitution of the United States and of the state of Ohio, and perform the duties of deputy state supervisor of elections to the best of my ability.

Signed, ———.

Sworn to and subscribed before me this ——— day of ———, in the year ——. ———,

[*Title of officer.*]

Oath of clerks of deputy supervisors

The clerk of the deputy supervisors for each county shall, before entering upon his duties, take and subscribe the following oath, which shall be filed with the clerk of the court of common pleas of the county where he resides:

State of Ohio, ——— *County, ss.:*

I do solemnly swear (or affirm) that I will support the constitution of the United States and of the state of Ohio, and discharge the duties of clerk of the deputy state supervisors for ——— county to the best of my ability, and preserve and keep all records, documents and other property pertaining to the conduct of elections placed in my custody.

Signed, ———.

Sworn to and subscribed before me this ——— day of ———, in the year ——. ———,

[*Title of officer.*]

Oath of clerks and judges.

The clerks and judges of election shall take and subscribe to the following oath, which shall be filed with the clerk of the deputy state supervisors:

State of Ohio, ——— *County, ss.:*

I do solemnly swear that I will support the constitution of the United States and of the state of Ohio, and to the best

of my ability discharge the duties of judge ——, —— clerk —— of the election in and for precinct ——, —— township, —— county, at the next ensuing election, and I further solemnly swear that if in the discharge of my official duties I gain knowledge as to how any elector voted at said election I will not disclose the same.

Signed, ————————.

Sworn to and subscribed before me this ——— day of ———, in the year ——. ————————,

[*Title of officer.*]

Duties of judges and clerks; penalties to which subject.

SECTION 8. The judges and clerks provided for herein, shall serve as such in all elections in this state for public officers, except for school directors. They shall perform all the duties and be subject to all the penalties imposed upon judges and clerks of election by law and the act entitled "An act to provide a mode for conducting elections," etc., passed April 30, 1891, and acts amendatory and supplementary thereto.

Duties of state supervisor and deputy supervisors.

The state supervisor of elections and the deputy supervisors of each county, as herein provided, shall perform all the duties imposed by law and the act entitled "An act to provide for the mode of conducting elections, to insure the secrecy of the ballot and prevent fraud and intimidation at the polls, and to repeal certain statutes therein named," passed April 30th, 1891, as amended and supplemented, upon the secretary of state or the clerk of the court, or a board of elections acting within and for a county, in the conduct of elections.

Certificates of nominations, nomination papers, and vacancies.

The state supervisor of elections and the deputy supervisors shall receive and file the certificate[s] of nominations and nomination papers, fill vacancies, pass upon the validity thereof and certify the same agreeably to the provisions of law and said act regulating the filing and the determination of the validity thereof, to be made and done by the secretary of state, board, clerk, officer or officers.

Questions to be decided by chief deputies and clerks.

Objections or questions arising on the nomination certificates or papers of candidates for district or circuit offices, or offices of a sub division of a district or circuit, shall be determined by the chief deputies and clerks of the deputies, of the counties comprising said district or circuit. In case no decision can be arrived at by the deputy supervisors for the county or by the chief deputies and clerks of a district or circuit, then the question shall be submitted to the state supervisor of elections, who shall summarily decide the same and his decision shall be final.

Submission of question to state supervisor, and decision thereof.

General duties of deputy supervisors.

The deputy supervisors for each county shall advertise and let the printing of the ballots, cards of instruction and other required books and papers to be printed by the county; they shall receive the ballots from the printer and cause the same to be securely sealed up in their presence in packages, one for each precinct, containing the designated number of ballots for each precinct, and shall make the necessary indorsements thereon as provided in said act; they shall provide for the delivery of the ballots, poll-books and other required books and

papers at the polling places in the several precincts; they shall cause the polling places to be suitably provided with booths, guard-rails, etc., as provided in said act of April 30, 1891, and acts amendatory and supplementary thereto; they shall provide for the care and custody of the same during the intervals between elections. They shall receive the returns of election, make abstracts of the same, and transmit such abstracts to the proper officers at the times and in the manner that the clerk of the court of common pleas by sections 2980, 2981, 2982, 2983, 2989 and 2994 of the Revised Statutes, is required to canvass the returns, make abstracts thereof, transmit the same and issue certificates to persons entitled to the same.

Penalty for violation, neglect, or wrong performance of duty, or disobedience, by deputy supervisor or clerk.

SECTION 9. Any deputy state supervisor of elections or any clerk of the deputy supervisors for any county, upon whom a duty is imposed by law, who shall wilfully and negligently violate his said duty, or who shall wilfully neglect to perform such duty, or who shall wilfully perform it in such a way as to hinder the objects of the law, or who shall wilfully disobey any provision of the law incumbent on him, shall be punished by a fine of not less than one hundred dollars, nor more than one thousand dollars, or by imprisonment in jail not more than one year, or both.

SECTION 10. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892.
340G

LOCAL AND SPECIAL LAWS.

[House Bill No. 22.]

AN ACT

To amend section 1 of an act entitled "An act to authorize the commissioners of Lake county to build a bridge over the Grand river on the line of State street, near Painesville, in said county," passed March 3d, 1891.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 1 of the above entitled act be amended so as to read as follows:

Sec. 1. That the commissioners of Lake county be and they are hereby authorized to construct a bridge over the Grand river on or near the lines of State or St. Clair street roads, leading from Painesville to Fairport in said county.

SECTION 2. That section 1 of said act be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed January 13, 1892.
1L

[House Bill No. 47.]

AN ACT

To change the name of Amelia Hecht to that of Amelia Myer.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the name of Amelia Hecht, of Hamilton county, Ohio, be and the same is hereby changed to Amelia Myer; provided, however, that this change of name shall not invalidate any contracts or obligations entered into by her the said Amelia Hecht prior to the passage of this act.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed January 21, 1892.
2L

[House Bill No. 48.]

AN ACT

To authorize the trustees of Ridgeville township, Lorain county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of the township of Ridgeville, Lorain county, Ohio, be and are hereby authorized to transfer the sum of one hundred dollars ($100.00) from the ground hog fund to the township fund of said township.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed January 21, 1892.
3L

[House Bill No. 52.]

AN ACT

To authorize the city of Lima, Allen county, Ohio, to transfer certain funds therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the city of Lima, in the county of Allen, and state of Ohio, be and is hereby authorized to transfer two thousand dollars from the sanitary fund of said city to the bridge fund of said city.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed January 21, 1892.
4L

[House Bill No. 57.]

AN ACT

To authorize the council of the village of Lewisburg, Preble county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Lewisburg, Preble county, Ohio, be and it is hereby authorized to transfer permanently the sum of two hundred and fifty dollars from the fire fund to the corporation fund of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed January 21, 1892.
5L

[Senate Bill No. 13.]

AN ACT

To authorize the village council of the village of Coshocton, Ohio, to provide for and require by ordinance the marking of the streets of said village, to be marked at the corners thereof, and numbers to be legibly placed on buildings by the owners of property in said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the village council of the village of Coshocton, Coshocton county, Ohio, be and it is hereby authorized and empowered by ordinance to provide for and require the names of the streets of said village of Coshocton to be marked at the corners thereof, and numbers to be legibly placed on the buildings by the owners of property abutting on any street in said village, prescribing the style and manner of so marking the names of said streets and placing the numbers on said buildings, and specifying the time within which the same shall be done, which shall not be less than thirty days after the taking effect of the ordinance. Notice of such requirement shall be published in one or more newspapers printed and of general circulation in said village for at least ten days; and in case the owner of any property within the limits specified in the ordinance and notice fails so to mark the names of the streets or to place the numbers on any building according to the requirement, the village council may have the work done and assess the cost thereof on the lots or lands on which the same are placed, and collect the same in the same manner as other assessments. Said village council may provide by ordinance a fine or imprisonment, or both, to be imposed on any person who wilfully obstructs or interferes with any person employed by the said village council to place such names or numbers as aforesaid, or who maliciously tears down, removes or defaces the same.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed January 21, 1892.
6L

[House Bill No 43.]

AN ACT

To change the time for holding the March term of the court of common pleas in Morgan county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the time fixed by the judges of the eighth judicial district of Ohio,

for holding a term of the court of common pleas in Morgan county, on the twenty-eighth (28th) day of March, 1892, be so changed that said term shall be held on the seventh (7th) day of March, 1892.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed January 21, 1892.
7L

[House Bill No. 93.]

AN ACT

To authorize the village of Ashtabula, Ashtabula county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of Ashtabula, Ashtabula county, Ohio, be and is hereby authorized to transfer from the police fund of said village, to the street fund thereof, the sum of fifteen hundred dollars.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed January 26, 1892.
8L

[House Bill No. 74.]

AN ACT

To authorize the village of Salineville, Ohio, to issue bonds for the purpose of providing said village with a system of water-works.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the village council of the incorporated village of Salineville, in the county of Columbiana, and state of Ohio, be and is hereby authorized and empowered to issue the bonds of said village, in any sum actually needed for the purpose, but in no case exceeding forty thousand dollars, and bearing interest at a rate not exceeding six per centum per annum, payable semi-annually, and to be of such denominations as the council of said village shall prescribe, but not less than five hundred dollars each, and shall be made payable at such times and place as the said council shall, by ordinance prescribe, but not within five (5) years, nor more than thirty years from date, and which bonds shall not be sold for less than their par value in cash. The proceeds of said bonds shall be used for the purpose of buying or leasing the necessary land or water sight [right] and material, and acquiring the necessary right of way, also apparatus necessary for fire company, and constructing thereon and therewith a system of water-works for said village, and for no other purpose whatever. The said bonds shall be signed by

the mayor of said village and countersigned by the clerk thereof, and the seal of the village attached thereto, and when sold the proceeds shall be paid to the treasurer of the village, who shall hold and disburse the same as other village funds are by him held and disbursed.

SECTION 2. If any bonds of said village be issued as hereinbefore provided, it shall be the duty of the council of said village annually thereafter, until the said bonds and the interest thereon is fully paid, to assess and levy a tax on all the taxable property of the corporation, in addition to other taxes now authorized by law, sufficient to provide for the payment of said bonds as they fall due, with interest accruing thereon. All earnings from said water-works, after deducting current expenses, shall be paid into the sinking fund and used for the extinguishment of said indebtedness.

SECTION 3. Before said bonds are issued the village council shall submit the proposition to issue said bonds and construct said water-works system to the electors of said village, at a special election to be held for such purpose, at such time as the council shall determine by resolution, notice of which shall be given by the mayor of said village of the time and place of holding such election, and the amount of bonds to be issued, at least ten days prior to the time of holding such election, in a newspaper of general circulation in said village, and the form of the ballot shall be as follows: Those in favor of the construction of water-works and the issuing of said bonds shall have written or printed on their ballots, "Water-works—Yes;" those opposed to the construction of water-works and the issuing of said bonds, shall have written or printed on their ballots, "Water-works—No." The election shall be held in accordance with the election laws of the state, but the poll-book and returns thereof shall be made to the village clerk, who shall present them to the council when the same shall be opened and canvassed, and the result declared and entered upon the minutes of said council, and if it shall appear that the majority of the ballots cast at such election were in favor of water-works and the issuing of said bonds, then the council shall proceed to issue such bonds, and not otherwise; provided, however, before issuing said bonds, or contracting any liabilities whatever, except for the plotting and surveying hereinafter provided for, the council shall fix, by ordinance, on what streets said water-pipes shall be laid, giving dimension and kind of pipe to be used; the number of fire-plugs and distance from each other; the location of the reservoir or dam and such other matters as may be necessary to supply a good water-works system, and to cause plans and specifications therefor to be made and filed in the office of the mayor or clerk of said village. After the passage and publication of such ordinance, as prescribed by law, the council shall advertise for sealed proposals, in accordance with the provisions of said ordinance and plans and specifications, and which proposals may be for a part or the whole of the labor and materials to be furnished, as the council in its discretion may deem best, and if it is ascertained upon the opening of said bids that said water-works can be built complete in every respect, and that good and responsible parties will enter into the contract, with good and sufficient bond that they will build said water-works or such part as may be let to them for a sum for the whole not to exceed the whole amount of bonds herein authorized to be issued, said council shall accept such proposals as in their judgment is most reasonable, economical and satisfactory, and enter into a contract for such purpose, and may issue the bonds as herein provided, and not otherwise.

SECTION 4. No more of said bonds shall be issued than shall be necessary to procure the completion and successfully put into operation said water-works system.

SECTION 5. For the purpose of carrying out the provisions of this act the council shall not be restricted in its proceedings by the provisions of section 1691, Revised Statutes of Ohio, and the councilmen, clerk and other public officers of said corporation shall be exempt from the provisions of section 2702, Revised Statutes of Ohio.

SECTION 6. This act shall take effect and be in full force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed January 28, 1892.
9L

[House Bill No. 94.]

AN ACT

To transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city council of the city of Urbana be and it is hereby authorized to transfer the sum of four thousand ($4,000) dollars from the street improvement fund to the sinking fund of said city.

SECTION 2. This act shall take effect on its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed January 28, 1892.
10L

[House Bill No. 109.]

AN ACT

To authorize the council of the incorporated village of Ansonia, Darke county, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Ansonia, Darke county, Ohio, be and are hereby authorized to transfer the sum of five hundred dollars from the corporation fund to the street fund of said village.

SECTION 2. This act shall take effect from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed January 28, 1892.
11L

[House Bill No. 118.]

AN ACT

To authorize the council of the city of Zanesville to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the city of Zanesville be and is hereby authorized and empowered to transfer to the general fund of said city, or to such other funds as the council may deem proper, so much of the funds arising from the levies respectively made for the year 1891 under the authority and provisions of acts of the general assembly respectively entitled "An act to authorize the city of Zanesville to issue bonds for the purpose of purchasing a site and erecting thereon a hose-house and appurtenances for public use," passed January 27th, 1890 (87 O. L. 383), "An act to authorize the city council of any city of the third grade of the second class, having at the last federal census, or which at any subsequent federal census may have a population of 18,113, to issue bonds for developing natural gas and oil, and for general improvements and benefit of said city," passed February 19th, 1890 (87 O. L. 22), and "An act to authorize any city of the second class and third grade containing a population of 18,113 at the last federal census, or that by any subsequent federal census may have such population, to issue bonds for the purpose of laying mains and extending and increasing water-works," passed April 25th, 1890 (87 O. L. 293), as may not be needed or required for said year to pay the interest, as the same respectively becomes payable, on any bonds issued under the power or authority conferred by either of said acts respectively.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed January 28, 1892.
12L

[House Bill No. 124.]

AN ACT

To change the name of George H. Squire to George H. Stevens.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the name of George H. Squire, who is now a resident of Toledo, Lucas county, be, and the same is hereby, changed to George H. Stevens.

SECTION 2. That this act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed January 29, 1892.
13L

[House Bill No. 90.]

AN ACT

To authorize the council of the village of Harrison, Hamilton county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of Harrison, Hamilton county, Ohio, be and it is hereby authorized to transfer from the general fund to the public debt fund the sum of five hundred dollars ($500 00).

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed February 2, 1892.
14L

[House Bill No. 132.]

AN ACT

To authorize the council of the city of Washington, Fayette county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the city of Washington, Fayette county, Ohio, is hereby authorized and empowered to transfer the sum of five hundred and eighty-four and $\frac{74}{100}$ dollars ($584\frac{74}{100}$) from the sewer fund to the general fund of said city.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed February 2, 1892.
15L

[House Bill No. 141.]

AN ACT

To transfer funds in Chagrin Falls township, Cuyahoga county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of the township of Chagrin Falls, Cuyahoga county, Ohio, be and they are hereby authorized to transfer eight hundred and twenty [dollars] ($820.00) from the poor fund of said township to the town hall fund.

SECTION 2. This act shall take effect and be in force on and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed February 2, 1892.
16L

[Senate Bill No. 12.]

AN ACT

To authorize the commissioners of Adams county to construct a certain free turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Adams county be and they are hereby authorized to construct the following free turnpike road, to-wit: Beginning at the Jacksonville and Locust Grove pike, near David Cobbler's, running thence with the township road to intersect the new Chillicothe road at a point near T. J. McMillen's.

SECTION 2. Said commissioners may, in their discretion, order at once the building of said road, but before ordering said road shall require donations of not less than twenty per centum of the estimated cost thereof, and may issue bonds for the construction of the same, bearing six per cent. interest, which shall not be sold for less than their par value, and may levy a tax not exceeding two mills on the dollar annually, on all taxable property of said county for the purpose of paying said bonds and interest thereon.

SECTION 3. A majority of said commissioners may, at any regular or special session, agree upon plans and specifications and order said improvement or any part thereof.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed February 4, 1892.
17L

[House Bill No. 84.]

AN ACT

To authorize the commissioners of Franklin county, Ohio, to issue bonds and to provide for their payment, for the purpose of meeting and providing for a deficiency in the general expense fund of said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Franklin county, Ohio, for the purpose of meeting and providing for a deficiency in the general expense fund of said county, are hereby authorized to issue bonds in an amount not to exceed eighty-five thousand dollars ($85,000.00); said bonds shall be of the

denomination of $1,000.00 each, bearing interest at the rate of six per centum per annum, payable semi-annually, and shall be due and payable at such times as said commissioners may determine, not exceeding ten years from the date of the same, and shall not be sold for less than their par value. Said bonds and interest shall be payable at the office of the county treasurer of said county.

SECTION 2. Said bonds and the interest thereon shall be paid for as they become due, out of the levy for general expense purposes now authorized by law. Said bonds shall be signed by the county commissioners and countersigned by the county auditor.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed February 4, 1892.
18L

[House Bill No. 127.]

AN ACT

To authorise the council of the village of Prospect, Marion county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of Prospect, Marion county, Ohio, be and are hereby authorized to transfer five hundred dollars, from the police fund, and two hundred dollars, from the fire fund, to the light fund.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed February 4, 1892.
19L

[House Bill No. 135.]

AN ACT

To change the name of Wesley Hollenbaugh to Wesley Barnes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the name of Wesley Hollenbaugh, of Richland county, Ohio, be and the same is hereby changed to Wesley Barnes; but this change shall in no way affect the rights, privileges or liabilities of said person.

SECTION 2. This act shall take effect on its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives
ANDREW L. HARRIS,
President of the Senate.

Passed February 4, 1892.
20L

[Senate Bill No. 44.]

AN ACT

To authorize the incorporated village of McConnelsville, Morgan county, Ohio, to borrow money for the purpose of completing and furnishing the town hall and public offices now in course of erection.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of McConnelsville, Morgan county, Ohio, be and is hereby authorized to borrow a sum not to exceed three thousand five hundred dollars for the purpose of completing and furnishing the town hall and public offices now in course of erection in said village.

SECTION 2. For the purpose of borrowing said money the council is authorized to issue the promissory notes of said village, duly attested by the mayor and clerk thereof, for sums of not less than $500 each and not exceeding in the aggregate said amount of $3,500. Said notes to bear interest at a rate not exceeding six per cent., payable annually, and be redeemable and payable at a period not exceeding five years from the date of issue.

SECTION 3. The money so borrowed upon said notes shall be used solely for the purposes named in the first section of this act, and shall be expended under the direction and supervision of the committee on public buildings of said council of said village.

SECTION 4. Whenever said money shall be borrowed as provided for in this act, it shall be the duty of said council to levy a tax on all the taxable property within said incorporated village sufficient to pay the interest accruing annually on said notes so issued and to create a sinking fund for the payment of the principal thereof as the same shall become due.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed February 4, 1892.
21L

[Senate Bill No. 49.]

AN ACT

To authorize the auditor of Cuyahoga county, Ohio, to reconvene the county decennial board of equalization as a board of revision.

WHEREAS, The maps and returns of the district assessors, containing the decennial appraisal of real estate in Cuyahoga county, have been partially destroyed by fire; and

WHEREAS, The term of the county decennial board of equalization, sitting as a board of revision, expired before said board had completed its labors; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county auditor of Cuyahoga county, Ohio, be and he is hereby

authorized to recall said decennial county board of equalization, as a board of revision.

SECTION 2. The session of said board herein provided for shall not be held for a longer period than sixty days. Said board shall be governed in all respects by the laws passed for the government of the decennial boards of equalization.

SECTION 3 This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed February 4, 1892.
22L

[House Bill No. 75.]

AN ACT

To authorize the commissioners of Franklin county to construct bridges across the Scioto river and Ohio canal.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of commissioners of Franklin county, Ohio, be and they are hereby authorized and empowered to construct bridges across the Scioto river and Ohio canal on the Frank road in said Franklin county, together with the proper and necessary approaches thereto, at a cost not to exceed the sum of forty-five thousand ($45,000) dollars, and in the exercise of their powers and the performance of their duties in that behalf, they shall be governed by the general statutes on that subject, except in so far as their powers and duties are prescribed by this act.

SECTION 2. For the purpose of raising money to defray the expense of constructing such bridges with the proper and necessary approaches thereto, said commissioners are hereby authorized and empowered to issue and sell bonds of said Franklin county, at not less than their par value, in sums of not less than one thousand dollars each, bearing interest at a rate not to exceed six per cent. per annum, payable semi-annually, and not to exceed in the aggregate the sum of forty-five thousand ($45,000) dollars; and said commissioners are further authorized and empowered to levy a tax on all the property on the tax duplicate of said county to pay said bonds as they mature and the interest thereon, and at such rate and for such length of time as may be necessary for that purpose.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed February 4, 1892.
23L

[House Bill No. 152.]

AN ACT

To change the name of Clara A. Parshall.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the name of Clara A. Parshall, a resident of Ashtabula county, Ohio, be and the same is hereby changed to Clara A. Kent.

SECTION 2. Said change shall in no way affect the rights, privileges and liabilities of the person herein named.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed February 4, 1892
24L

[House Bill No. 162.]

AN ACT

To authorize the council of the city of Steubenville to transfer funds therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the city of Steubenville, Jefferson county, Ohio, is hereby authorized to transfer not more than four thousand three hundred dollars ($4,300) from the bridge fund to the street and alley fund of said city.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed February 4, 1892.
25L

[House Bill No. 174.]

AN ACT

To authorize the village of Nevada, Wyandot county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of Nevada, Wyandot county, Ohio, be and the same is hereby authorized to transfer from the general corporation fund to the street fund thereof, the sum of fifteen hundred dollars ($1,500), and from the police fund to the street fund thereof, the sum of three hundred and fifty dollars ($350), and from the gas fund to the street fund thereof, the sum of one hundred and eighty and $\frac{41}{100}$ dollars ($180.41).

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed February 4, 1892.
26L

[House Bill No. 12.]

AN ACT

To authorize the board of education of the city of Mansfield, Richland county, Ohio, to borrow money and issue bonds for the purpose of completing and furnishing a high school building.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the city of Mansfield, Ohio, be and hereby is authorized to borrow an additional sum of money not exceeding twenty thousand dollars ($20,000.00), and issue bonds for the purpose of finally completing and furnishing a high school building in said city.

SECTION 2. Said bonds shall be in such denominations and payable at such times and place as said board of education may deem judicious, and shall bear interest at a rate not exceeding five per cent. per annum, payable semi-annually, and shall not be sold for less than their par value and accrued interest. Said board shall annually, after the issuing of said bonds, cause the necessary taxes to be levied to pay the interest on said bonds and the principal thereof as the same shall become due; and said levy, if necessary, may be in addition to that now authorized by law.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed February 10, 1892.
27L

[House Bill No. 13.]

AN ACT

To provide for the issuing of bonds to pay for building, repairing and furnishing the school-houses of Portage township, Summit county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of Portage township school district be and they are hereby authorized to issue, sell and dispose of according to law, three bonds of one thousand dollars each, drawing interest at the rate of

six per cent. per annum and payable in one, two and three years respectively from date of issue. The proceeds arising from sale of said bonds to be used and appropriated by said school board in building, repairing and furnishing the necessary school building in and for said Portage township; provided, however, that said board in providing for the payment of said bonds shall not levy upon said township a tax in excess of that provided for in section 3959 of the Revised Statutes.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed February 10, 1892.
28L

[House Bill No. 85.]

AN ACT

To amend an act passed March 24, 1884, entitled "An act to authorize the commissioners of Ottawa county, Ohio, to better carry out the provisions of the laws regulating the construction and repair of ditches, drains and watercourses" (O. L. 81, pp 286-7).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That sections one and two of the above recited act be amended so as to read as follows:

Sec. 1. That any county having at the last federal census not less than 21,900 nor more than 22,000 inhabitants, or which may hereafter have such, that any improvement made in said county under the provisions of sections 4447 and 4448 of the Revised Statutes of Ohio, has no sufficient outlet, or in case it shall appear that such outlet so located is insufficient to discharge the water, the commissioners may provide additional outlets by one or more lateral ditches, spurs or side-cuts, if the object of the improvement will be better accomplished thereby.

Sec. 2. If the commissioners of such county, having proceeded under section 4454 of the Revised Statutes of Ohio, to locate and construct certain improvements therein named, shall find that such proposed improvement enters or passes through any marshy lands, or includes the channel or any part of any river, creek or run as mentioned in amended section forty-four hundred and forty-seven, and that such survey and improvement can not be made in the ordinary or usual manner of constructing ditches, drains or watercourses, then said engineer or surveyor shall make such survey and estimate in the best practicable manner obtainable to accomplish the object of said improvement; and provided further, that if the said commissioners shall find it necessary, and that it will be conducive to the public health, convenience and welfare of the county to dredge such watercourse, creek, river or other outlet for the purpose of obtaining a good and sufficient outlet for such improvement, said commissioners may procure a suitable steam dredge for such purpose, to be

paid for by said county, and the work of dredging may be done and carried out in the same manner as is provided for the letting of ditch work, or if such commissioners find that it would be advantageous and so order it, they may employ suitable persons either by the day or month to operate such dredge and do such work. In either case the expense of running and operating such steam dredge shall be paid for and assessed upon the lands thereby benefited as is provided by law, in case of improvements named in said section 4447 of the Revised Statutes of Ohio, but in no case shall such assessment exceed the estimate and apportionment made by said engineer or surveyor, and approved of by said commissioners.

SECTION 2. Said original act passed March 24th, 1884, be and the same is hereby repealed; and this act shall be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed February 10, 1892.
29L

[House Bill No. 279.]

AN ACT

To authorize the council of the city of Cleveland, Cuyahoga county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the city of Cleveland, Cuyahoga county, Ohio, be and it is hereby authorized to permanently transfer the following funds of said city, viz.: From the paving fund to the general sinking fund the sum of sixty thousand dollars ($60 000); from the paving fund to the park fund the further sum of three thousand one hundred dollars ($3,100); from the interest fund to the lighting fund the sum of one hundred and thirteen thousand dollars ($113,000); from the interest fund to the house of correction fund the further sum of forty thousand dollars ($40,000); from the interest fund to the bridge fund the further sum of thirteen thousand three hundred dollars ($13,300); from the interest fund to the general fund the further sum of fifty thousand three hundred dollars ($50 300); and from the interest fund to the street fund the further sum of five thousand seven hundred dollars ($5,700).

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed February 12, 1892.
30L

[House Bill No. 8.]

AN ACT

To authorize the commissioners of Fayette county to levy a tax for and to build a county soldiers' monument.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of county commissioners of Fayette county, Ohio, be and are authorized to levy a tax on the taxable property of said county in the aggregate sum of twelve thousand dollars ($12,000), for the purpose of and to be used in building a monument to the memory of the soldiers, sailors and marines who served for and to the credit of said county for the preservation of the national government in the late civil war.

SECTION 2. Said levy shall be made on four different successive years, to-wit: One-fourth thereof on each of said four years; and the money so to be raised shall be expended in erecting said monument and for no other purpose, under the management and direction of a board of three trustees, to be appointed by said board of commissioners, who shall serve without compensation, and whose term shall expire only on the completion of said monument; provided, said board of commissioners shall have power and are authorized to remove said trustees, or any of them, for good cause, and to fill any vacancy that may happen therein.

SECTION 3. This act shall be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed February 12, 1892.
31L

[House Bill No. 38.]

AN ACT

To reimburse ex-marshal A. D. Launder, of the city of Zanesville, Muskingum county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city council of said city is hereby authorized and empowered to pass an ordinance providing for the payment of the sum of $461.45 to reimburse said Alfred D. Launder for said costs due him.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed February 12, 1892.
32L

[House Bill No. 177.]

AN ACT

To authorize the commissioners of Franklin county to construct a bridge across the Scioto river.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of commissioners of Franklin county, Ohio, be and they are hereby authorized and empowered to construct a bridge across the Scioto river in Franklin township, in said Franklin county, at Grand View avenue, together with the proper and necessary approaches thereto, at a cost not to exceed the sum of forty-eight thousand dollars; and in the exercise of their powers and the performance of their duties in that behalf, they shall be governed by the general statutes on that subject, except in so far as their powers and duties are prescribed by this act.

SECTION 2. For the purpose of raising money to defray the expense of constructing such bridge, with the proper and necessary approaches thereto, said commissioners are hereby authorized and empowered to issue and sell bonds of said Franklin county, at not less than their par value, in sums of not less than one thousand dollars each, bearing interest at a rate not to exceed six per cent. per annum, payable semi-annually, and not to exceed, in the aggregate, the sum of forty-eight thousand dollars; and said commissioners are further authorized and empowered to levy a tax on all the property on the tax duplicate of said county to pay said bonds as they mature, and the interest thereon, and at such rate and for such length of time as may be necessary for that purpose.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.

ANDREW L. HARRIS,
President of the Senate.

Passed February 12, 1892.
36L

[House Bill No. 194.]

AN ACT

To authorize the board of education of Antrim township school district, Wyandot county, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of Antrim township school district, Wyandot county, Ohio, be and the same is hereby authorized to transfer the following sum of money: Six hundred dollars ($600.00) from the auxiliary fund to the incidental fund.

SECTION 2. This act shall take effect on and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.

ANDREW L. HARRIS,
President of the Senate.

Passed February 12, 1892.
37L

[House Bill No. 202.]

AN ACT

To authorize the trustees of Franklin township, Fulton county, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Franklin township, Fulton county, be and they are hereby authorized to transfer from the road fund of said township to the general fund, the sum of three hundred and fifty ($350.00) dollars.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed February 12, 1892.
38L

[House Bill No. 223.]

AN ACT

To authorize the trustees of Adams township, Clinton county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Adams township, Clinton county, Ohio, be and the same are hereby authorized to transfer the sum of $300 00 from the poor fund to the free turnpike repair fund of said township.

SECTION 2. This act to take effect on and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed February 12, 1892.
39L

[House Bill No. 227.]

AN ACT

To authorize the village of Toronto, Jefferson county, Ohio, to issue bonds to meet a certain indebtedness heretofore incurred.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Toronto, Jefferson county, be and it is hereby authorized to issue the bonds of said village to an amount not exceeding seven (7) thousand dollars, bearing a rate of interest not greater than six (6) per cent. per annum, payable semi-annually, said bonds to become due and payable in one, two, three, four, five, six and seven years from their date, for the purpose of paying certain certificates of indebtedness heretofore issued by said village to the amount of seven thousand dollars, now due and payable, and issued for the paving of

Main and Findley streets in said village, said bonds to be named and designated "street improvement bonds," and the interest and principal thereof to be paid by special assessments levied or to be levied for or on account of said paving.

SECTION 2. This act shall take effect on its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed February 12, 1892.
40L

[House Bill No. 232.]

AN ACT

To change the name of Henry F. Swartzfager to Henry F. Swartz.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the name of Henry F. Swartzfager, a resident of Paulding county, Ohio, be and the same is hereby changed to Henry F. Swartz.

SECTION 2. That said change shall in no way effect [affect] any existing right, liberty [liability] or obligation of said person.

SECTION 3. This act shall take effect and be in force from and after the date of its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed February 12, 1892.
41L

[House Bill No. 208.]

AN ACT

To authorize the trustees of Salisbury township, Meigs county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Salisbury township, Meigs county, are hereby authorized to transfer the sum of fifteen hundred ($1,500) dollars from the general fund to the road fund of said township.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed February 12, 1892.
42L

[Senate Bill No. 32.]

AN ACT

To authorize certain organizations to hold meetings in the armory at Wadsworth, Medina county, and state of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the grand army of the republic, the woman's relief corps, the sons of veterans and farmers' institutes shall have the right to hold their meetings in the armory at Wadsworth, Medina county, and state of Ohio, at such times when it is not used by the Ohio national guard.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed February 17, 1892.
43L

[Senate Bill No. 56.]

AN ACT

To authorize the commissioners of Hamilton county, Ohio, to purchase or condemn a certain tract of land for the use of Longview asylum.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Hamilton county be and they are hereby authorized and empowered, on the written request of the board of directors of Longview asylum, to purchase for the use of said asylum, all that tract of land situated in the village of Carthage in said county, bounded on the north by Second street, on the east by Paddock road, on the south by the north line of the grounds of said asylum, and on the west by land of said asylum and by the Miami and Erie canal, containing about two and one-half acres, at such price as may be agreed on between the owner or owners of said land and the said commissioners, with the approval of the board of control of said county.

SECTION 2. *Be it further enacted*, That if the said county commissioners shall not be able to agree with the owner or owners of said premises, on a price for the same as aforesaid, then said county commissioners are hereby authorized and empowered to appropriate the said premises; and for that purpose they shall cause an accurate survey and description of the said tract of land to be made, and shall file the same with the probate judge of Hamilton county, and thereupon the same proceedings shall be had in the name of the county commissioners which are provided for the appropriation of private property by municipal corporations.

SECTION 3. *Be it further enacted*, That the consideration to be paid for said land which may be fixed by agreement as provided in section 1 above, or by the verdict and judgment in proceedings in condemnation as provided by section 2 above, shall be paid out of any funds in the county treasury to the credit of Longview asylum arising from tax levies made under sections 751 and 2823 of the Revised Statutes.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed February 17, 1892.
44L

[Senate Bill No. 67.]

AN ACT

To change the name of Gotlieb Huttelmeiyer.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the name of Gotlieb Huttelmeiyer, a resident of Bellevue, Ohio, be and the same is hereby changed to Gotlieb Meyer.

SECTION 2. Said change shall in no way affect the rights, privileges and liabilities of the person herein named.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed February 17, 1892.
45L

[Senate Bill No. 79.]

AN ACT

To fund certain indebtedness of the city of Massillon therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the city council of the city of Massillon, Stark county, Ohio, is hereby authorized to issue bonds of said city in a sum not exceeding ninety-five thousand dollars, in denominations not less than one hundred nor more than one thousand dollars, bearing interest at a rate not exceeding six per cent. per annum, payable semi-annually, and to run such time as council may by ordinance prescribe, not exceeding twenty years from date.

SECTION 2. Said bonds shall be signed by the mayor, and countersigned by the clerk of said city, and shall be sold at public or private sale at not less than their par value, and may be sold at such times and in such amounts, from time to time, as will best subserve to carry out the purpose for which they are issued.

SECTION 3. The proceeds of such bonds shall be used for the purpose of purchasing and paying all bonds or other indebtedness of said city outstanding.

SECTION 4. If any bonds of said city be issued as hereinbefore provided, it shall be the duty of the council of said city, and said council is hereby authorized, annually, thereafter, until the same and the interest

thereon shall be paid to levy a tax on all the taxable property of said city sufficient to provide for the payment of the interest accruing on the bonds so issued, and create a sinking fund for the payment of the principal of the bonds as they fall due.

SECTION 5. This act shall take effect on and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed February 17, 1892.
46L

[House Bill No. 277.]

AN ACT

To change the name of Jacob Englander.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the name of Jacob Englander, a resident of Cuyahoga county, Ohio, is hereby changed to that of Jacob England.

SECTION 2. Said change shall not in any way affect the rights, privileges and liabilities of said person.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed February 17, 1892.
47L

[House Bill No. 111.]

AN ACT

To authorize the city auditor of the city of Columbus to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city auditor of the city of Columbus, Franklin county, be and he is hereby authorized to transfer from the gas and light fund to the police fund of said city for the purpose of paying outstanding claims against said fund, the sum of twenty thousand dollars.

SECTION 2. This act shall take effect from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed February 17, 1892.
48L

[House Bill No. 136.]

AN ACT

To authorize the trustees of Huntington township, Ross county, Ohio, to issue bonds and to levy taxes to pay the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Huntington township, Ross county, Ohio, be and are hereby authorized to issue the bonds of said township to cover a deficiency in the township treasury for a sum not to exceed five hundred dollars ($500), payable within five (5) years of the date of issue, bearing interest at a rate not exceeding six per cent. per annum, payable annually; which bonds shall be signed by the township trustees and clerk of said township, and shall be of such denominations as the trustees may deem expedient, but shall not be sold for less than their par value.

SECTION 2. For the purpose of paying such bonds and the interest thereon as the same shall become due and payable, said trustees are hereby authorized to levy sufficient taxes on all the property in said township, in addition to all other taxes authorized by law.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed February 17, 1892.
49L

[House Bill No. 92.]

AN ACT

To authorize the council of the incorporated village of Bellefontaine, Logan county, Ohio, to issue certificates of indebtedness for general revenue and police purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Bellefontaine, Logan county, Ohio, be and is hereby authorized to issue certificates of indebtedness of said village, for any sum not to exceed two thousand dollars, and to use the proceeds of such sale not exceeding one thousand dollars, for general revenue purposes, and not exceeding one thousand dollars for police purposes of said village.

SECTION 2. That said certificates of indebtedness shall bear interest at a rate not to exceed six per cent. per annum, payable semi-annually, and shall not be sold for less than their par value, in denominations of not more than one thousand dollars each, and payable in not to exceed three years after the date of their issue.

SECTION 3. That the said council is hereby authorized to levy such a tax on all the taxable property of said village in addition to all other taxes authorized, as will be necessary to pay the certificates and interest thereon as the same shall become due.

SECTION 4. Said certificates may be negotiated immediately upon the passage and legal publication of an ordinance by said council therefor, without advertisement.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed February 17, 1892.
50L

[House Bill No. 197.]

AN ACT

To authorize the council of the city of Wooster, Ohio, to permanently transfer money from the funds of sewer district No. 1 to the funds of sewer district No. 2.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the city of Wooster, Ohio, be and the same is hereby authorized to transfer, permanently, the sum of two thousand ($2,000) dollars from the funds of sewer district No. 1 to the funds of sewer district No. 2 of said city.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed February 17, 1892.
51L

[House Bill No. 274.]

AN ACT

To repeal an act entitled "An act to amend the act entitled 'an act to incorporate certain towns therein named,' passed March 19th, 1850." Vol. 48, page 473 [471].

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That an act entitled "An act to amend an act entitled 'an act to incorporate certain towns therein named,' passed March 19th, 1850," amended March 21st, 1851, O. L. vol. 49, p. 691, be and the same is hereby repealed.

SECTION 2. This act shall take effect upon its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed February 17, 1892.
52L

[Senate Bill No. 4.]

AN ACT

To provide that the field-notes, plats, and records restored to the records of the surveyor's office of Hamilton county, Ohio, shall be evidence in courts of justice.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the field-notes, plats, and records restored to the records of Hamilton county, Ohio, under the act passed April 17, 1885, entitled "An act to provide for the restoration of certain records of the county surveyor's office in Hamilton county, destroyed by the burning of the court-house of said county," shall be given the same faith and credit as was by law required to be given to the originals, and for all purposes they shall be deemed originals.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed February 18, 1892.
53L

[House Bill No. 67.]

AN ACT

To authorize the council of the incorporated village of Dresden, Muskingum county, Ohio, to issue bonds for the purpose of purchasing a site and the necessary appliances for an electric light plant for lighting said incorporation.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Dresden, Muskingum county, Ohio, be and is hereby authorized and empowered to borrow not to exceed ten thousand dollars ($10,000.00), for the purpose of purchasing a site and the necessary appliances for an electric light plant for lighting said incorporation.

SECTION 2. That for the purpose of meeting the expenses aforesaid, the said council of the incorporated village of Dresden, Muskingum county, Ohio, is authorized to issue bonds to be signed by the mayor, and attested by the clerk of said village, in denominations of not less than five hundred dollars ($500.00) and not more than one thousand dollars ($1,000.00), bearing interest at a rate not to exceed six per cent. per annum, payable annually; said bonds to be payable at such time or times not exceeding twenty-five years from their respective dates thereof, as said council may determine, which said bonds shall not be sold for less than their par value, and to be sold without compensation or commission, and said bonds may, in the discretion of said council, have interest coupons attached, and said bonds and interest shall be payable at the village of Dresden, Ohio.

SECTION 3. That for the purpose of paying said bonds and the interest thereon as the same shall become due, the said council is hereby authorized and empowered to levy on all the taxable property of said village of Dresden, Muskingum county, Ohio, a tax for such an amount

annually, not exceeding three mills above the maximum authorized by the general laws, which levy shall be placed on the duplicate by the auditor of said county, collected as other taxes, and when collected paid over to the treasurer of said village.

SECTION 4. Before such bonds or any thereof shall be issued, the question of issuing the same shall be submitted to a vote of the electors of said village at any general election held therein, or at a special election to be called by the council of said village for that purpose. The tickets to be voted at such election shall have written or printed thereon the words "Electric light bonds—Yes;" or "Electric light bonds—No." And if the proposition to issue such bonds shall be approved by three-fifths of all the votes cast at such election upon said proposition, said village shall have authority to issue said bonds for the purpose aforesaid.

SECTION 5. The present existing laws now in force relating to, and prescribing the manner and form of holding general elections, shall not apply to the holding of the election provided for by this act, but said election may be held in such manner and form, and under such rules as the council of said village of Dresden may prescribe. Provided the council of said village or a majority of them shall, at least ten days prior to holding such election, cause public notice of the submission of said question to be published in a newspaper published and of general circulation in said village.

SECTION 6. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed February 18, 1892.
54L

[House Bill No. 288.]

AN ACT

To authorize the council of the city of Sandusky, Ohio, to issue bonds for the general sewer purposes of said city.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the city of Sandusky, in the county of Erie, and state of Ohio, be and it is hereby authorized and empowered to issue and sell the bonds of said city in any sum not to exceed the sum of thirty thousand dollars ($30,000), bearing interest at a rate not to exceed five per cent. per annum from the date of issue, payable semi-annually, for the general sewer purposes of said city.

SECTION 2. Said bonds shall be signed by the mayor of said city and be countersigned by the clerk of said city and attested by the corporate seal. Said bonds shall be sold according to law and for not less than their par value, and shall be issued in such amounts respectively and draw such interest not exceeding five per cent. as will in the judgment of said council best subserve the negotiation and sale thereof; the principal shall be payable at such times as the council may determine by ordinance and within a period not exceeding ten years; and said city is hereby authorized to levy a tax not to exceed the amount allowed to be levied by law

upon all the taxable property of said city sufficient to pay the interest of said bonds and to create a sinking fund for the payment of the principal thereof as they respectively fall due; said tax shall be levied and collected in the same manner as taxes for general purposes are now levied and collected.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed February 18, 1892.
55L

[House Bill No. 300.]

AN ACT

To authorize the trustees of Baughman township, Wayne county, Ohio, to transfer funds

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Baughman township, Wayne county, Ohio, are hereby authorized to transfer not to exceed three hundred dollars from the bridge fund of said township to the road fund, and not to exceed six hundred dollars of the bridge fund of said township to the poor fund of said township.

SECTION 2. This act shall take effect on its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed February 18, 1892.
56L

[House Bill No. 221.]

AN ACT

To authorize the commissioners of Licking county, Ohio, and the city council of the city of Newark, Ohio, to raise money to pay for ground for the permanent encampment of the Ohio national guard.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Licking county, Ohio, be and they are hereby authorized and directed to issue and sell the bonds of said county of Licking, to an amount not exceeding the sum of thirteen thousand dollars ($13,000), for the purpose of paying the costs and expenses for the land conveyed to the board of trade of Newark, Ohio, and to the state of Ohio, for a permanent camping ground for the Ohio national guard, and reimbursing such persons as shall have advanced money for the purchase of said grounds, and to pay the necessary costs of carrying out the contract made with the commission appointed under the act of the general assembly for the selection of such permanent encamping ground; and that the city council of the city of Newark, Ohio, in said county, for said purpose, be and said council is hereby authorized and directed to cause to be

issued and sold, according to law, the bonds of said city in the sum of ten thousand dollars ($10,000).

SECTION 2. That said bonds shall be issued in such sums, and made payable at such times and places as said board of county commissioners and said city council shall respectively determine, and shall bear interest at a rate not exceeding six per centum per annum, payable semi-annually, and said county bonds shall be signed by said commissioners of said county, or any two of them, and countersigned by the county auditor thereof. And said city bonds shall be signed by the mayor, and countersigned by the city clerk of said city.

SECTION 3. That for the payment of said county bonds, and the interest thereon, said county commissioners shall, during the period said bonds have to run, annually levy a tax, not exceeding one mill on the dollar, on all the taxable property of the county, in addition to the amount now authorized by law, sufficient to pay the principal thereof and the interest thereon when due, and to create a sinking fund therefor; and for the payment of said city bonds said city council shall, during the period said bonds have to run, annually levy a tax not exceeding one mill on the dollar, on all the taxable property of said city, in addition to the amount now authorized by law, sufficient to pay the principal thereof and the interest thereon when due, and to create a sinking fund therefor; which tax in both cases shall only be sufficient in amount for said purpose, and in no case be used for any other purpose.

SECTION 4. Said bonds shall not be issued by said commissioners and by said council, until the question shall have first been submitted to a vote of the qualified electors of said county and said city at a general or special election, of which not less than ten days' notice shall be given by publication in some newspaper of general circulation in said county and said city, and at said election all those desiring to vote in favor of issuing said bonds, shall have written or printed on their ballots the words, "Issue of permanent encampment bonds—Yes;" and all voters desiring to vote against said issue of bonds shall have written or printed on their ballots the words, "Issue of permanent encampment bonds—No," and if a majority of said votes cast at such election in both county and city be in favor of the issue of such bonds, then said commissioners and said council may proceed to issue said bonds as authorized by this act and not otherwise.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed February 19, 1892.
57L

[House Bill No. 248.]

AN ACT

To authorize the trustees of Miller township, Knox county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Miller township, Knox county, Ohio, are hereby

authorized to transfer not to exceed the sum of one thousand dollars from the general fund of said township to the building fund, for the purpose of building a town hall, or for purchasing land and building a town hall thereon, or to purchase land with a building [thereon] to be used for a town hall, as may seem best in the judgment of said trustees.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed February 19, 1892.
58L

[House Bill No. 275.]

AN ACT

To authorize the commissioners of Ashland county, Ohio, to provide for the deficiencies in the county funds of said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Ashland county, Ohio, for the purpose of meeting and providing for a deficiency in the county funds of said county, are hereby authorized to issue bonds in an amount not exceeding eighteen thousand dollars ($18,000). Said bonds shall bear a rate of interest not exceeding six per centum per annum, payable semi-annually, and shall be of such denominations of from five hundred dollars to one thousand dollars each, and shall be payable at such times not exceeding three years from date of issue as said county commissioners may determine, and shall be sold according to law.

SECTION 2. Said bonds and interest shall be paid out of an additional tax of not exceeding one mill, to be levied by the county commissioners of said county to the annual levies of 1892, 1893 and 1894.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed February 19, 1892.
59L

[Senate Bill No. 96.]

AN ACT

To authorize the board of education of the incorporated village of Coshocton, Coshocton county, Ohio, to increase the tax levy for maintenance of school library.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the village of Coshocton, Coshocton county, Ohio, be and are hereby authorized to levy, annually, in addition to the amount now authorized by law for school purposes, a tax not exceeding

one-fifth ($\frac{1}{5}$) of one mill on the dollar of the assessed valuation for taxation, of all the property of said village, for the purpose of maintaining a free school library for the use of the scholars and citizens of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed February 24, 1892.
60L

[Senate Bill No. 99.]

AN ACT

To authorize Archbold village school district to issue bonds for school purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the village school district of Archbold, Fulton county, Ohio, be and it is hereby authorized and empowered to borrow a sum of money not to exceed in amount five thousand dollars ($5,000.00), to be applied to the payment of the expense and cost incurred in erecting a school building, furnishing, purchasing heating apparatus and purchasing site, and to issue bonds to secure the payment of the principal and interest thereof; said bonds to be issued, advertised and sold under all the conditions and requirements contained in an act entitled "An act to authorize the board of education of the village school district of Archbold, Fulton county, Ohio, to issue bonds, borrow money to erect a school building, and to repeal a certain act therein named," passed May 1st, 1891 (O. L., v. 88, p. 890), to which this act is made supplementary.

SECTION 2. All money derived from the sale of the bonds authorized under this act shall be applied solely to the execution of the object stated in the preceding section, and no other.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed February 24, 1892.
61L

[House Bill No. 54.]

AN ACT

To authorize the commissioners of Brown county, Ohio, to construct a free turnpike road, between the terminus of the Georgetown and Freesoil turnpike, and the Higginsport and Streight creek turnpike.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Brown county, Ohio, are hereby authorized and empowered to construct a free turnpike road on the following

described route: Beginning at the terminus of the Georgetown and Free-soil turnpike on the lands of George E. Mathews, thence in a southerly direction to what is known as the old coon pen corner, thence through the lands of L. W. Rees to the road near said Rees' barn, thence with the main road to the end of the road leading from the main road to the Norman cemetery, thence in a southerly direction on the most practicable route to intersect the Higginsport and Streight creek turnpike betwixt the bridge at the mouth of White Oak creek and Sink creek school-house.

SECTION 2. The commissioners are hereby authorized to call to their assistance a competent engineer who with them shall determine the line or location of said road, which shall connect the objective points in the above or foregoing section, or as near said line as practicable.

SECTION 3. The aforesaid engineer shall furnish plans, profile and specifications for the construction of said road, which shall be subject to the approval or rejection of said commissioners.

SECTION 4. Those interested in the construction of said turnpike shall pay into the county treasury 20 per cent. of the total cost of said road, and shall give bond to the state of Ohio for the use of Brown county, Ohio, for the payment of said 20 per cent. of the cost of the construction of said road, which cost shall include the cost of engineering, superintending, grading, macadamizing, culverting and bridging said road.

SECTION 5. The commissioners aforesaid, for the payment of 80 per cent. of the total cost of said road, shall levy a tax of not to exceed 2 mills on the dollar, upon all the taxable property of Brown county, Ohio, and if they deem it advisable may issue bonds for said payment, which shall be payable in not more than 5 years, and to bear 6 per cent. interes per annum, interest payable semi-annually, and said bonds to be sold for not less than their par value.

SECTION 6. The general laws of Ohio for the construction of free turnpikes shall be applicable in the foregoing act where not specially provided for.

SECTION 7. This act shall be in force and take effect from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed February 24, 1892.
62L

[House Bill No. 159.]

AN ACT

To authorize the commissioners of Fairfield county to take possession of a turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Fairfield county are hereby authorized and empowered to take possession of the following graveled road, known as the infirmary road, beginning at Lundy's lane in the city of Lancaster in said county, running in a northerly direction through Pleasant township and into Walnut township to a point known as Paul's school-house, where said road intersects the graveled road leading from the village of

Thurston to Baltimore, and shall by order cause the said road to be entered on record as a free turnpike and shall cause the same to be kept in repair as provided in chapter ten (10) of the Revised Statutes of Ohio.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed February 24, 1892.
63L

[House Bill No. 175.]

AN ACT

To amend an act entitled "An act to authorize the board of education of Galion school district, in Crawford county, Ohio, to issue bonds and to levy a tax for the payment of the same, to erect and furnish additional school buildings, and to supply a deficiency in its tuition fund."

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section one of the above entitled act, passed April 29, 1891, be so amended as to read as follows:

Sec. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the school district of the city of Galion, Crawford county, Ohio, be and it is hereby authorized and empowered to issue the bonds of said school district in such amounts as it may determine, not to exceed the sum of fifteen thousand dollars in the aggregate, bearing interest at a rate not to exceed six per cent. per annum, payable semi-annually, said bonds to be made payable at a period not less than five years, nor more than fifteen years from the date of their issue, at the pleasure of said board.

SECTION 2. That said section 1 of said act of April 29, 1891, be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed February 24, 1892.
64L

[House Bill No. 260.]

AN ACT

To authorize the village of West Cleveland, Cuyahoga county, Ohio, to issue and sell bonds for the purpose of providing fire protection, and to levy a tax to pay the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of West Cleveland, Cuyahoga county,

[House Bill No. 257.]

AN ACT

To authorize the commissioners of Mercer county, Ohio, to transfer to the agricultural society of Mercer county, Ohio, such surplus funds as arise and remain unexpended by reason of the tax levied on dogs.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Mercer county, Ohio, be and they are hereby authorized to transfer to the agricultural society of said county all surplus funds arising from the tax annually levied on dogs, being such surplus as remains after the payment of claims for sheep killed and injured for a period of five years; and such money as may be transferred and paid over by the commissioners of Mercer county, Ohio, to the agricultural society of said county is to be used by said agricultural society for the improvement of such grounds as it may now have and hold, or towards the purchase and improvement of such ground as it may hereafter acquire for the use of such said agricultural society.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,
Speaker pro tem. of the House of Representatives
ANDREW L. HARRIS,
President of the Senate.

Passed March 1, 1892.
69L

[House Bill No. 259.]

AN ACT

To authorize the commissioners of Scioto county to issue bonds to raise money to redeem fifty thousand dollars of free turnpike bonds falling due January 1st, 1893.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Scioto county, for the purpose of raising money to redeem fifty thousand dollars of the bonds of said county, issued under the act of April 19th, 1872, entitled "An act supplemental to an act entitled an act to authorize the location and construction by the county commissioners of Scioto county of free turnpike and plank roads," passed April 5th, 1866, falling due January 1st, 1893, be and they are hereby authorized and empowered to issue bonds of said county, not exceeding in amount fifty thousand dollars; such bonds shall bear interest at a rate not exceeding six per cent. per annum, payable semi-annually, and shall be payable at such time and place as the commissioners may determine; but no part thereof shall be payable at a later date than January 1st, 1897, and no part of the proceeds of said bonds shall be used for any purpose other than as herein specified.

SECTION 2. That for the payment of said bonds and the interest thereon the commissioners shall levy such taxes annually as will pay the interest on said bonds and such part of the principal as may become due from year to year, and so continue, until such indebtedness shall be entirely discharged.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 1, 1892.
70L

[House Bill No. 347.]

AN ACT

To authorize the incorporated village of Arcadia, Hancock county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Arcadia, Hancock county, Ohio, be and is hereby authorized to transfer one thousand dollars ($1,000) from the gas fund to the general fund of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,
Speaker pro tem. of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 1, 1892.
71L

[House Bill No. 160.]

AN ACT

To authorize the commissioners of Franklin county, Ohio, to build a bridge across Alum creek on the Coe road leading from the Westerville pike to Central College road in said county, and provide for the payment of the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of commissioners of Franklin county be and they are hereby authorized to construct a bridge across Alum creek on the Coe road leading from the Westerville pike to Central College road, in Mifflin and Blendon townships in said county.

SECTION 2. For the purpose of raising money to defray the expenses of constructing said bridge, said commissioners are hereby authorized and empowered to issue and sell the bonds of said Franklin county according to law in sums not less than one thousand dollars ($1,000 00) each, at a rate of interest not to exceed six per centum per annum, payable semi-annually, and not to exceed in the aggregate the sum of fifteen thousand dollars; and said commissioners are further authorized to levy a tax on all property on the tax duplicate of said county to pay said bonds as they mature and the interest thereon, and at such rate and for such length of time as may be necessary for that purpose.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 2, 1892.
72L

[House Bill No. 204.]

AN ACT

To authorize the county commissioners of Knox county, Ohio, to build a viaduct over the Kokosing river at Mount Vernon, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Knox county, Ohio, are hereby authorized and empowered to build a viaduct across the Kokosing river at the south end of Main street of the city of Mount Vernon in said county, the cost of which shall not exceed the sum of thirty thousand dollars.

SECTION 2. For the purpose of providing funds necessary for building said viaduct, said commissioners are hereby authorized and empowered to issue the bonds of said county for an amount not exceeding the sum of twenty-one thousand dollars, in sums not less than $100.00 nor more than $1,000.00 each, which bonds may be made payable at any time not to exceed five years from the date of the issue thereof, and shall bear interest not to exceed six per centum per annum, payable semi-annually, and both principal and interest made payable at the office of the county treasurer of said county; and said commissioners are authorized and empowered to negotiate and sell said bonds at not less than the face thereof, with any interest that may have accrued thereon.

SECTION 3. That said commissioners are hereby authorized and required to annually levy a tax on all the taxable property in said county, not exceeding the one-half of the rate now authorized by law to be levied in said county for bridge purposes; not in addition to said annual levy but as a part thereof, to meet the payment of said bonds and interest as they shall become due; which levy shall be placed on the duplicate by the county auditor of said county and collected as other taxes, and shall be applied to no other purpose than that for which they are collected.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 2, 1892.
73L

[House Bill No. 380.]

AN ACT

To change the name of Solomon Jones.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the name of Solomon Jones, a resident of Wyandot county, Ohio, be and the same is hereby changed to Charles Jones.

SECTION 2. That said change shall in no way affect the rights, privileges and liabilities of said person.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 2, 1892.
74L

[House Bill No. 406.]

AN ACT

To authorize the trustees of Van Buren township, Putnam county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Van Buren township, in Putnam county, in the state of Ohio, be and they are hereby authorized to transfer the sum of four hundred and forty-one dollars and forty-six cents ($441.46) from the cemetery fund to the road fund, and fifty-one dollars and fifty-six cents ($51.56) from the cemetery fund to the general fund of said township.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 2, 1892.
75L

[House Bill No. 409.]

AN ACT

To authorize the village council of the incorporated village of New Comerstown, Tuscarawas county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the village council of the incorporated village of New Comerstown, Tuscarawas county, Ohio, be and is hereby authorized to transfer any

balance that may be in the condemning fund and five hundred dollars ($500.00) of fire and police fund to the street light fund of said village.

SECTION 2. This act shall take effect from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 2, 1892.
76L

[Senate Bill No. 117.]

AN ACT

To change the name of George B. Myers to George Myers Ketcham.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the name of George B. Myers, a resident of Franklin county, Ohio, be and the same is changed to George Myers Ketcham.

SECTION 2. That such change shall in no wise affect the rights, privileges and liabilities of said person.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 3, 1892.
77L

[Senate Bill No. 127.]

AN ACT

To authorize the council of the incorporated village of Seville, Medina county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Seville, Medina county, Ohio, is hereby authorized to transfer:

$200 from the street fund to the corporation fund.
$35 from the street fund to the bridge fund.
$75 from the street fund to the fire fund.
$150 from the street fund to the light fund.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 3, 1892.
78L

[Senate Bill No. 128.]

AN ACT

To authorize the council of the incorporated village of Bellevue, in the counties of Huron and Sandusky, to transfer two thousand dollars ($2,000) from the street light fund to the general fund of said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the village of Bellevue, in the counties of Huron and Sandusky, Ohio, be and is hereby authorized to transfer the sum of two thousand dollars ($2,000) from the street light fund to the general fund of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 3, 1892.
79L

[Senate Bill No. 142.]

AN ACT

To authorize the board of education of the Recovery special school district, Mercer county, to levy additional tax.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of the Recovery special school district, Mercer county, be and the same are hereby authorized to levy an additional tax, annually, for a period not to exceed twenty years, on all the taxable property within said district, not to exceed two mills on the dollar, in addition to the levy now authorized by law, the same to be collected as other taxes for the purpose of supporting and continuing the schools in said district.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 3, 1892.
80L

[Senate Bill No. 143.]

AN ACT

To authorize the board of education of the Recovery special school district, Mercer county, to issue bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of Recovery special school district, Mercer county, be and the same is hereby authorized to issue bonds in amount not to exceed five thousand dollars ($5,000), for the purpose of paying bonded indebtedness; said bonds to be issued in denominations of one

thousand dollars each, payable at such time as the board may determine but in not to exceed twenty years from March 15, 1892; said bonds shall bear interest at the rate of not to exceed six per centum per annum, interest payable semi-annually, and shall not be sold for less than their face value.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 3, 1892.
81L

[House Bill No. 98.]

AN ACT

To authorize and direct the commissioners of Hamilton county to extend and construct West Eighth street, including a viaduct or bridge, across Boldface road, Cincinnati, and to provide a fund therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Hamilton county, upon the request of the board of administration of the city of Cincinnati, shall and they are hereby authorized and directed to acquire by dedication, purchase or condemnation, all lands including grounds or cemeteries, necessary to extend West Eighth street in the city of Cincinnati, from the west line of Elberon avenue to the west line of what is known as the old St. Joseph cemetery, a distance of about $2,536\frac{28}{100}$ feet, including the land and easements necessary for lateral support and for the erection of a bridge or viaduct across Boldface road, said extension of said street to be not less than sixty (60) feet in width. If the land necessary for such extension, not dedicated to the public for the purpose, together with the land and easements necessary for lateral supports and for the supports of the viaduct, or any part thereof be acquired by purchase, the same shall be at a price not to exceed a price to be fixed by the board of administration of said city. And as to the land required for such extension, and the land and easements necessary for lateral support and support of viaduct not acquired by dedication or purchase as aforesaid, said commissioners shall appropriate the same, and for such purpose they may bring proceedings in the probate court of the county or common pleas court in the same manner as is provided by law for the appropriation of private property by municipal corporations.

SECTION 2. To provide a fund to pay for such extension of West Eighth street and for the construction thereof and of the bridge or viaduct, as hereinafter provided, said board of county commissioners shall, upon the request of said board of administration from time to time, and as often as said board of administration think necessary, borrow and pay into the county treasury such sums of money as may be stated in said requests, not exceeding in the aggregate the sum of $60,000, at a rate of interest not exceeding four (4) per cent. per annum. To secure the payment of the principal and interest thereof, the commissioners of said county shall issue bonds of said county in the mode and manner prescribed

by sections 871 and 872 Revised Statutes of Ohio, and the act passed March 22, 1883, entitled "An act for the sale of public bonds" (80 O. L. 68); provided, however, that said bonds shall be issued with coupons, or registered, due in twenty years, but redeemable at any time after ten years from date. The money realized from the sale of said bonds shall be placed to the credit of a fund to be known as the West Eighth street extension fund.

SECTION 3. The commissioners of said county shall, annually, at their June session, in addition to all other taxes authorized by law, levy such amount of taxes as will pay the interest on such indebtedness and create a sinking fund necessary to redeem the same at maturity. And if the commissioners refuse or neglect to levy such taxes regularly, as herein provided, the county auditor shall levy such taxes upon the taxable property of the county and place the same upon the tax list; and all the taxes levied and assessed under the provisions of this act shall be applied to the specific object for which they are levied, and no other.

SECTION 4. The money realized from the sale of said bonds, excepting so much as may be required to acquire the land and easements necessary for such extension of said street, shall be expended exclusively by and under the direction of the board of administration of said city of Cincinnati, in the construction of said extension between Enright and Lincoln avenues, by grading, setting curbs, paving the roadway between curbs at least forty feet wide with such material as the said board of administration may determine, and constructing necessary culverts, drains and retaining walls, and constructing a viaduct or iron bridge over Boldface road, having a double driveway and a footway on each side, and the necessary approaches thereto. Said improvements shall not obstruct said Boldface road, but shall pass over the same by a viaduct or bridge so as to leave a space of not less than nineteen feet in the clear above the present grade of said Boldface road. And in making the improvements herein provided the said board of administration shall be governed by the same laws and rules under which all street improvements are now made in such city; provided, however, that the said board of administration shall have exclusive authority to pass all necessary resolutions and ordinances and to take all other necessary steps without any action or concurrence on the part of the board of legislation of said city.

SECTION 5. Disbursements for said improvement shall be upon orders signed by the president and clerk of the board of administration of said city when drawn pursuant to a resolution passed at any regular meeting of such board, on which orders the county auditor of said county shall issue his warrants to the treasurer of said county, to be paid out of the fund above provided for the sale of said bonds. If, on the completion of said improvement, an unexpended balance of said fund shall remain in the county treasury, such balance shall be immediately placed and kept to the credit of the sinking fund provided by this act.

SECTION 6. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 4, 1892.
82L

[House Bill No. 255.]

AN ACT

To authorize the commissioners of Cuyahoga county to allow and pay certain claims.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Cuyahoga county be and they are hereby authorized to allow and pay the sum of two hundred dollars for medical attendance and expenses incurred by Joseph Goldsoll, deputy sheriff of said county, by reason of wounds received by him in attempting the arrest of unknown burglars July 21, 1889, in addition to the sum authorized to be paid by the act of the general assembly passed April 11, 1890.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 3, 1892.
83L

[House Bill No. 263.]

AN ACT

To authorize the school board of the Benton Ridge special district, Hancock county, Ohio, to levy a tax to construct a school-house in said district.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the school board of Benton Ridge special district, in Hancock county, aforesaid, be and they are hereby authorized and empowered to assess and levy upon all the taxable property of said school district, a tax not exceeding five mills upon the dollar of the valuation of all said taxable property, in any one year, in addition to the amount of taxes now authorized by law, for the purpose of constructing a school-house and for no other purpose whatever.

SECTION 2. The question of levying such tax and constructing such school-house shall be submitted to a vote of the qualified electors of said school district, at the regular spring election on the first Monday of April, 1892. The tickets voted at said election shall have written or printed thereon the words, "Taxation for school-house—Yes;" or, "Taxation for school-house—No;" and a majority vote in favor of such taxation shall authorize the levying of said tax and constructing such school-house.

SECTION 3. Said tax hereby authorized shall be placed upon the grand duplicate of the county auditor of Hancock county, aforesaid, and shall be collected as other taxes.

SECTION 4. This act shall take effect from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 3, 1892.
84L

[House Bill No. 303.]

AN ACT

To authorize the commissioners of Franklin county, Ohio, to grade and improve the road leading from Canal Winchester to the Union Grove cemetery, and construct a sidewalk and curbing along said road, and keep said road, sidewalk and curbing in good repair.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Franklin county, Ohio, be and they are hereby authorized to grade and improve the road leading from Canal Winchester to the Union Grove cemetery in said county, and construct a sidewalk and curbing along said road, and keep said road, sidewalk and curbing in good repair; beginning at the west corporation line of said village of Canal Winchester, thence northwest with the Columbus and Canal Winchester pike to the point where a road leads north to said Union Grove cemetery, thence north with said road to the entrance of said Union Grove cemetery.

SECTION 2. For the purpose of raising money to defray the expenses of grading and improving said road, and constructing sidewalk and curbing along the same, said commissioners are hereby authorized and empowered to issue and sell the bonds of said Franklin county, Ohio, according to law, bearing interest at the rate of six per cent. per annum, payable semi-annually, and not to exceed in the aggregate sum ten thousand dollars; and said commissioners are further authorized and empowered to levy a tax on all the property on the tax duplicate of said county to pay said bonds as they mature, and interest thereon, at such rate and for such length of time as may be necessary; and for keeping said road, sidewalk and curbing in good repair, said commissioners shall, when necessary, levy a tax not to exceed one-fortieth of a mill in any one year, on said taxable property of said county.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 3, 1892.
85L

[House Bill No. 339.]

AN ACT

To authorize the trustees of McKendree M. E. church to convey by deed their church cemetery to the trustees of York township, Union county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of McKendree methodist episcopal church of York township, Union county, Ohio, are hereby authorized to convey by deed to the trustees of the above named township the cemetery belonging to said church, for the purpose of making it a part of the township cemetery located contiguous thereto.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives
ANDREW L. HARRIS,
President of the Senate.

Passed March 3, 1892.
86L

[House Bill No. 351.]

AN ACT

To allow the incorporated village of New Vienna, Clinton county, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of New Vienna, Clinton county, Ohio, be and the same is hereby authorized to transfer the sum of $600.00 from the police fund to the light fund of the above named village.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 3, 1892.
87L

[House Bill No 370.]

AN ACT

To amend section five (5) of an act entitled "An act to amend an act entitled 'an act to enable the commissioners of Montgomery and Warren counties to purchase toll roads and convert the same into free roads,'" passed and took effect May 10, 1878 (O. L., v. 75, p. 1150), as amended April 16, 1888.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section (5) of the above entitled act, as amended April 16, 1888, be amended so as to read as follows:

Sec. 5. For the purpose of paying the bonds named in this act, and interest thereon, the county commissioners are authorized and empowered to annually levy, upon the grand duplicate of the county, an amount which, in their opinion, may be sufficient for the payment of said bonds and interest thereon; and for the purpose of keeping said roads in repair, the county commissioners are authorized and empowered to annually levy upon the grand duplicate of the county an amount sufficient to keep said roads in repair, which fund shall be known as a special pike fund, and shall be collected as other taxes, and shall be and remain under the control of the county commissioners; and to further provide for keeping in repair said roads, situate in Montgomery county, there shall be elected in each of the townships of said county, wherein any of said roads or parts thereof may be situated, on the first Monday of April, 1892, and annually thereafter, one or more special pike commissioners, as said county com-

missioners may direct, whose duty it shall be to keep in repair said roads or parts of roads in such township, and who shall give bond for the faithful discharge of his duties in the sum of three thousand dollars ($3,000), with good and sufficient surety, to be approved by the county commissioners, and who shall also report, semi-annually, on the first Monday of September and the first Monday of March, to said county commissioners, with accompanying vouchers, a detailed statement of the receipts and expenditures of his office, and upon failure to report upon demand made in writing therefor by the commissioners, or if he shall neglect to perform his duty according to law, the commissioners may, by a unanimous vote at any regular meeting, suspend or remove said special pike commissioner, and appoint a suitable person to fill said vacancy, and he shall do and perform his labor upon said roads under the instruction of the county commissioners, and receive from them from time to time such portion of the special pike fund as they may deem proper, to be paid upon estimate and upon the order of the county auditor. They shall have all the powers and privileges of road supervisors, and may, when in their opinion the interest of any of the pikes require it, enter upon any lands in the county and take the gravel or other material necessary for the repair of the pikes, and shall pay a reasonable amount therefor, together with the amount of damages to the lands by reason of the removal of such material. If an owner be dissatisfied with the amount paid or offered to be paid by said pike commissioner, he shall go before the board of county commissioners, and if not satisfied with their award, he may appeal to the probate court of the county, subject to all the provisions of the statutes relating to the appropriation of material for road purposes. Said commissioner shall receive for his services two dollars for each and every day he may be actually employed on said roads; but nothing in this act shall be so construed as to allow him buggy hire or additional pay of any kind; and in case of a vacancy occurring in the office of special pike commissioner in any of the townships herein mentioned, the county commissioners are hereby empowered to fill such vacancy until the same can be regularly filled at the succeeding township election.

SECTION 2. That said original section five (5), as amended April 16, 1888, be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 4, 1892.
88L

[House Bill No. 395.]

AN ACT

To authorize the council of the city of Xenia, Greene county, Ohio, to transfer certain funds therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the city of Xenia, Greene county, Ohio, be and is hereby authorized to transfer by ordinance the following funds of the said city;

the sum of fifteen hundred and fourteen dollars, from the hose reel station fund, to the credit of the following named funds of the said city:

1. Four hundred and nine dollars and thirty-seven cents to the general fund ($409.37).

2. Four hundred and fifty dollars to the fire department fund ($450).

3. Four hundred dollars to the street fund ($400).

4. Two hundred and twenty dollars to the sanitary fund ($220).

5. Thirty-four dollars and sixty-three cents to the interest and sinking fund ($34.63).

6. The sum of fifteen hundred dollars from the interest and sinking fund to the bridge fund ($1,500).

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 3, 1892.
89L

[House Bill No. 416.]

AN ACT

To authorize the commissioners of Holmes county, Ohio, to issue bonds for the purpose of building a bridge across Killbuck creek at Killbuck village, and a bridge across Killbuck creek at the west end of Jackson street in Millersburg in said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That the board of county commissioners of Holmes county be and they are hereby authorized to construct a bridge across Killbuck creek at Killbuck village in said county, and to construct a bridge across Killbuck creek at the west end of Jackson street in Millersburg in said county.

SECTION 2. For the purpose of raising money to defray the expense of constructing said bridges, said commissioners are hereby authorized and empowered to issue and sell the bonds of said Holmes county according to law, by sealed bids, or at public outcry to the highest and best bidder, at not less than par, in sums not less than five hundred dollars each, which said bonds may be made payable at any time not to exceed five years, at a rate of interest not to exceed six per cent. per annum, interest payable semi-annually; said bonds not to exceed in the aggregate the sum of ten thousand ($10,000) dollars. And said commissioners are further authorized to levy a tax on all the property on the tax duplicate of said county to pay said bonds as they mature and the interest thereon, for such length of time as may be necessary for that purpose.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 3, 1892.
90L

[House Bill No. 340.]

AN ACT

To authorize the commissioners of Montgomery county, Ohio, to build a bridge across the Great Miami river.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Montgomery county, Ohio, be and they are hereby authorized and empowered to build a bridge across the Great Miami river, at a point between the north line of section 35 and the south line of section 29, in town 2, range 5, Miami township, and to construct the necessary approaches thereto, as the county commissioners may determine; and for the purpose of raising the money to build said bridge and construct said approaches said commissioners are hereby authorized and empowered to issue the bonds of said county, not to exceed twenty thousand dollars, and in amounts not less than one hundred dollars nor more than one thousand dollars each; and said bonds shall be payable at such times as said commissioners may deem most advantageous, not exceeding ten years from the date of their issue, and said commissioners are authorized to negotiate and sell said bonds at not less than their par value; but the interest on said bonds shall not exceed six per cent. per annum.

SECTION 2. Said bonds shall be signed by the commissioners and countersigned by the auditor of said Montgomery county, who shall keep a record of all bonds issued under and by virtue of this act.

SECTION 3. For the purpose of paying the principal and interest of said bonds, said commissioners are hereby authorized and empowered, in addition to the other levies authorized by law, to levy a tax on the property subject to taxation in said county, outside the city of Dayton in said county, sufficient in amount to pay said principal and interest thereon as they shall become due, and such tax shall be levied and collected in the same manner as other taxes are levied and collected.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 8, 1892.

[Senate Bill No. 132.]

AN ACT

To change the name of Mary E. Rightmire to Mary E. Stansbury.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the name of Mary E. Rightmire, a resident of Meigs county, Ohio, be and the same is hereby changed to Mary E. Stansbury.

SECTION 2. That such change shall in no wise affect the rights, privileges and liabilities of said person.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 8, 1892.
92L

[House Bill No. 234.]

AN ACT

To authorize the council of the village of New Straitsville, Perry county, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of New Straitsville, Perry county, is hereby authorized to transfer the following funds, viz.: From the police fund to the road fund $600.00; from the police fund to the bonded debt fund $350 00; from the police fund to the cemetery fund $400.00.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 8, 1892.
93L

[House Bill No. 296.]

AN ACT

To authorize the board of education of Green Camp special school district, Marion county, Ohio, to borrow money and issue bonds therefor for the purpose of building and furnishing a school-house in said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of Green Camp special school district, Marion county, Ohio, be and are hereby authorized to borrow money in any sum, not exceeding eight thousand dollars, for the purpose of building a school-house in said city.

SECTION 2. That to enable said board to raise money for the purpose aforesaid, said board is authorized to issue bonds, which bonds shall be signed by the president and attested by the clerk of said board of education, in sums not less than five hundred dollars and not more than one thousand dollars each, said bonds to bear interest not exceeding six per cent. per annum, payable semi-annually, and payable at such times not exceeding sixteen years from their dates, as said board may determine; said bonds shall not be sold for less than their par value and said board may have interest coupons attached to said bonds.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 8, 1892.
94L

[House Bill No. 315.]

AN ACT

To create a special school district from parts of Jefferson and Bethlehem townships, county of Coshocton, and state of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the following described territory in the townships of Jefferson and Bethlehem, county of Coshocton, and state of Ohio, be and is hereby made and constituted a special school district, to-wit: Beginning at the northeast corner of Tabitha Darr's land on the line between Jefferson and Bethlehem townships, thence west to the road leading from Warsaw to Frederick's bridge, thence along said road to the northeast corner of M. D. Stover's land on said road, thence along the boundary line of said land to the northeast corner of Abm. Funk's farm, thence along the northern boundary of the said Abm. Funk's land to the northwest corner of said land, thence south to the northwest corner of section 11, thence westward along said boundary to the northeast corner of the land of S. C. Kisner, thence south along the line east of the land of S. C. Kisner to the south boundary line of section 12, thence west along said line to a bridge on the road leading from Warsaw to Walhonding and near the residence of James Wilson, thence south to the Walhonding river, thence down said river to the northwest corner of the land belonging to W. J. Walker, thence south along the western boundary of the land of the said W. J. Walker to the southwest corner of said land, thence east along the south line of said land to the farm of A. Foster, thence south to the Flint run road, thence east along said road to the road leading from Warsaw to Bedford, thence along said road to the southwest corner of the land belonging to Cyrus Elder, sr., thence east along the south boundary of said land to the northeast corner of William Elder's land, thence south along the line between the lands of Cyrus Elder and William Elder to the land belonging to Jas. Lowary, sr., thence east to the land belonging to Cyrus Elder, jr., thence north along the west boundary line of the lands belonging to Cyrus Elder, jr., and Clara McCurdy to the northwest corner of the land belonging to the said Clara McCurdy, thence east along the north boundary of said land to the township line, thence north along the township line to the north bank of the Walhonding river, thence east along the said river to the old ford at the Big Island, thence north along the old road to the road leading from Coshocton to Warsaw, thence west along said road to the southwest corner of the land belonging to J. C. Bowers, thence north along the west boundary of said land to the northeast corner of the land belonging to Emma Darling, thence west along the north line of said land to the land belonging to Jas. L. Bantum, thence

north along the east boundary of said land to the northeast corner of said land, thence west along the north boundary of said land to the township line, thence north to the place of beginning. The territory as described to include all of subdistrict No. 3, of Jefferson township, together with the lands belonging to Abm. Funk, Tabitha Darr, W. J. Walker and 212 acres belonging to A. Foster, in Jefferson township; the lands lying between the Walhonding river and the Walhonding canal, from the Jefferson township line east to the old ford at the Big Island, the lands belonging to W. H. Carroll, Emma Darling and J. L. Bantum, in Bethlehem township.

SECTION 2. All school property situate within the said described territory shall be the property of said special school district.

SECTION 3. Said special school district shall be entitled to receive its proportionate share of the school funds and the funds levied for contingent expenses in accordance with the enumeration of the year 1891, of children who are entitled to attend school, said funds being those now collected within the county or township treasury, and shall in all respects be governed by such laws as now are or may be in force relating to special school districts.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 8, 1892.
95L

[House Bill No. 319.]

AN ACT

Supplementary to "An act to authorize the commissioners of Muskingum county, Ohio, to build a bridge across the Muskingum river, and to repeal an act passed April 2, 1889" (O. L., v. 86, p. 656), passed and took effect April 12, 1889.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Muskingum county, Ohio, for the purpose of completing the construction of the bridge, and the approaches thereto, across the Muskingum river referred to in said original act, be and they hereby are authorized and empowered to issue bonds of said county, not to exceed the sum of thirty thousand dollars ($30,000.00) in amount, at a rate of interest not exceeding five per cent. per annum, interest payable semi-annually; said bonds to be paid within twenty-five years of the date thereof at the discretion of the commissioners of said county, and the same shall be issued, signed and sold according to law; said bonds shall be issued in such sums as the commissioners of said county may determine, but shall not be sold for less than par value.

SECTION 2. For the purpose of paying the bonds and the interest thereon herein provided for, as the same shall become due and payable, the commissioners are hereby required to levy annually on all the taxable property within the county, a sum sufficient to pay the same in addition to all other taxes authorized by law.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 8, 1892.
96L

[House Bill No. 372.]

AN ACT

To authorize the commissioners of Morgan county, Ohio, to pay certain bills incurred in constructing a bridge across the Muskingum river at Stockport in said Morgan county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Morgan county, Ohio, be and are hereby authorized to pay out of the bridge fund of said county certain claims held by persons for material furnished and money expended by them in the construction of said bridge; provided, that if there is not a sufficient amount of said fund on hand to pay said claims, the commissioners aforesaid be and are hereby authorized to levy a tax on all taxable property within the county to pay the same in addition to all other taxes required by law.

SECTION 2. Parties having such claims shall present the same to the commissioners in itemized form, verified by oath before some officer authorized to administer oaths, that the same are correct and unpaid, and the commissioners on such presentation and verification shall issue an order on the treasurer of the county for the amount due to the person presenting such claim.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 8, 1892.
97L

[House Bill No. 442.]

AN ACT

To authorize the trustees of Darby township, Pickaway county, Ohio, to sell township house and site and apply the proceeds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Darby township, Pickaway county, Ohio, be and they are authorized and empowered to sell the township house and site in said township, and to apply the proceeds, realized from such sale, to the purchasing of a suitable site and the erection of township house thereon.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 8, 1892.
98L

[House Bill No. 448.]

AN ACT

To change the name of Aaron W. Ruegsegger, of Mt. Eaton, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the name of Aaron W. Ruegsegger, a resident of Mt. Eaton, Wayne county, Ohio, be and is hereby changed to that of Aaron W. Rickeecker. but said change of name shall not in any way affect any of the rights. privileges or liabilities of said person.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives
ANDREW L. HARRIS,
President of the Senate.

Passed March 8, 1892.
99L

[House Bill No. 467.]

AN ACT

To authorize the incorporated village of De Graff to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of De Graff, Logan county, Ohio, be and the same is hereby authorized to transfer three hundred dollars from the reservoir fund to the fire fund.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 8, 1892.
100L

[House Bill No. 468.]

AN ACT

To authorize the village of North Amherst, Lorain county, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of North Amherst, Lorain county, Ohio, be and the same is hereby authorized and empowered to transfer from the general revenue fund of said village the sum of five hundred and fifty dollars ($550.00) to other funds of said village, as follows: To the fire and reservoir fund five hundred dollars ($500.00); to the town hall fund fifty dollars ($50.00).

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 8, 1892.
101L

[House Bill No. 488.]

AN ACT

To authorize the village of Mingo Junction to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of Mingo Junction, Jefferson county, Ohio, is hereby authorized to transfer one thousand dollars ($1,000) from the police fund to the current funds.

SECTION 2. This act shall take effect on its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 8, 1892.
102L

[Senate Bill No. 88.]

AN ACT

To authorize the trustees of Polk township, Crawford county, to improve the Fairview road under the provisions of an act of the general assembly of the state of Ohio, entitled "An act to authorize the improvement of public roads in certain townships by the township trustees thereof," passed March 19, 1891 (O. L., v. 88, p. 144).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That it shall be the duty of the trustees of Polk township, Crawford county, Ohio, to improve the Fairview road, in said township under the provisions of an act entitled "An act to authorize the improvement of public roads in certain townships by the township trustees thereof," passed March 19, 1891 (O. L., v. 88, p. 144). But the graveled or macadamized roadway of

said road, when so improved, shall not be less than sixteen feet wide south of Fairview cemetery.

SECTION 2. The trustees of said township shall pay for the improvement of said road in the manner provided for in said act.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 10, 1892.
103L

[Senate Bill No. 158.]

AN ACT

To authorize the board of education of Delphos, Ohio, school district to issue bonds and levy a tax for purposes therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the Delphos, Ohio, school district in Allen, Putnam and Van Wert counties be and they are hereby authorized to issue the bonds of said school district in an amount not exceeding five thousand dollars, payable any time the board may direct, not exceeding five years, the same to bear interest at six per cent. per annum, payable semi-annually, for the purpose of paying off a floating debt, repairing the school buildings, and improving the grounds about the same in said school district. Said bonds shall be issued in such amounts, respectively, as said board may direct, and shall not be sold for less than their par value. Said bonds shall be signed by the president of the board and attested by the secretary.

SECTION 2. For the purpose of paying the said bonds and the interest on the same as they become due, the board of education is hereby authorized to levy a tax on all the taxable property in said school district (to be collected the same as other taxes are now collected in said district), not exceeding one mill, for any time said board may deem necessary, not exceeding five years.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 10, 1892.
104L

[House Bill No. 210.]

AN ACT

To amend sections 2 and 4 of an act entitled "An act to authorize the board of education of the village school district of Germantown, Montgomery county, Ohio, to establish and maintain a free public library, and to receive donations therefor," passed March 24, 1888 (O. L., vol. 85, page 448).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 2 and 4 of the above entitled act be amended so as to read as follows:

Sec. 2. For the purpose of establishing, increasing and maintaining said free public library, the board of education of said school district may levy, annually, a tax not exceeding three-fourths of one mill on each dollar valuation of the taxable property of said school district, to be levied and collected in the same manner as are the school taxes of the district, and shall be expended under the direction of the board of education of said school district in purchasing such books, pamphlets, papers, magazines, periodicals, journals and other property as may be deemed suitable for such library, and in payment of all other charges and expenses, including rent for rooms and compensation to the librarian and assistants, that may be incurred in establishing, increasing and maintaining such library.

Sec. 4. Said board of education is hereby authorized and empowered to permanently transfer from the contingent or other fund of said board, to the public library fund, a sum not exceeding six hundred dollars including the temporary transfer of funds already made, and to expend the same in maintaining said public library.

SECTION 2. That original sections 2 and 4 of said act be and the same are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 10, 1892.
105L

[House Bill No. 386.]

AN ACT

To authorize the council of the incorporated village of Mt. Victory, Hardin county, Ohio, to issue bonds and levy tax to pay the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the village council of the incorporated village of Mt. Victory, Hardin county, Ohio, is hereby authorized to issue the bonds of said village in any sum not to exceed two thousand dollars ($2,000), in denominations of five hundred dollars ($500) each, payable in two, three, four and five years, respectively, with six per cent. interest from date, annually, to be

sold at not less than their par value, the proceeds to be used in buying a lot and building a town hall on same.

SECTION 2. That said village council is further authorized to cause to be levied upon all the taxable property within the corporate limits of said village, a sufficient amount each and every year for five years, to pay said bonds with the interest thereon, in addition to the levy now authorized by law, as the same may become due, and to cause the same to be collected according to law.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 10, 1892.
106L

[House Bill No. 398.]

AN ACT

To supplement section six of an act entitled "An act to authorize the commissioners of Henry county to improve the roads of said county."

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the following section be enacted as supplementary to section six of an act entitled "An act to authorize the commissioners of Henry county to improve the roads of said county," passed March 24th, 1886, with sectional numbering as follows:

Sec. 6*a*. That when a request in writing shall be presented to the commissioners, signed by not less than fifty resident taxpayers of Harrison township, Henry county, as provided in section six of said original act, the said county commissioners shall submit the question to a vote to [of] the qualified electors of said Harrison township, of improving, under the provisions of said original act, the following named and described roads in said Harrison township, to-wit:

FIRST. All that part of the road leading in a southeasterly direction from Napoleon to Malinta, which runs through sections 19 and 29 in Harrison township, Henry county, Ohio.

SECOND. All that part of the road commencing at the northwest corner of section No. nineteen (19) in township No. five (5) north of range No. seven (7) east in Henry county, Ohio, thence running east, on the section line road to a point within forty rods of the northeast corner of section No. 20 in said town and range aforesaid.

THIRD. All that part of the road commencing at the township line between Napoleon and Harrison townships in section 18 of Harrison township, on the river road, thence following the river road in said Harrison township to where the same turns toward Forest Hill cemetery, thence running east on the road which passes said cemetery to the east line of section 18 in said Harrison township, in Henry county, Ohio, and there to terminate.

The provisions of this act shall not empower the said board of county commissioners to improve any other roads than those above described in

said township under the provisions of said act to which this is supplementary, without first having held another election under the provisions of said original act.

SECTION 2. This act shall take effect from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 10, 1892.
107L

[Senate Bill No. 63.]

AN ACT

To amend an act entitled "An act to incorporate the Otterbein university of Ohio," passed February 13, 1849.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section two of an act entitled "An act to incorporate the 'Otterbein university of Ohio,'" be amended so as to read as follows:

Sec. 2. The said corporation shall be known and designated by the name and style of "Otterbein university," which is and shall be located in the village of Westerville, Franklin county, Ohio.

SECTION 2. This act shall not have the effect to release or in any way modify any right or liability of said corporation.

SECTION 3. Said original section two is hereby repealed.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 10, 1892.
108L

[House Bill No. 423.]

AN ACT

To authorize the board of county commissioners of Clark county to refund certain taxes to John W. Russell.

WHEREAS, Certain taxes, amounting to three hundred and three dollars and forty-nine cents ($303.49) were erroneously charged on the duplicate of Clark county, Ohio, from June, 1882, to June, 1891, inclusive, against certain real estate owned by John W. Russell prior to that period, and illegally collected of said John W. Russell during said period; and

WHEREAS, The board of county commissioners, having found that said taxes were erroneously charged and collected, on the 14th day of December, 1891, ordered the auditor of said county to draw his warrant on the county treasurer of said county for that part of said taxes which had been erroneously charged and collected during the period of five years next

preceding the date of said order, amounting to one hundred and seventy-two dollars and sixty-eight cents ($172.68) in favor of said John W. Russell; and

WHEREAS, Under existing law, said board of county commissioners have no authority to order the refunding of the balance of said taxes, so erroneously charged and collected as aforesaid, amounting to one hundred and thirty dollars and eighty-one cents ($130.81); therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of county commissioners of Clark county be and the said board is hereby authorized to order the auditor of Clark county to draw his warrant on the county treasurer of said county in favor of said John W. Russell for one hundred and thirty dollars and eighty-one cents, that sum being the balance of taxes erroneously charged and collected of him and not heretofore refunded.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate

Passed March 10, 1892.
109L

[House Bill No. 462.]

AN ACT

To authorize the county commissioners of Lake county, Ohio, to transfer certain funds.

WHEREAS, In the year 1884, the special school district in Mentor township, Lake county, instituted proceedings before the commissioners of said Lake county for the purpose of being incorporated as a village, which petition was granted by said commissioners, and said territory was incorporated as the village of East Mentor, and as such village levied, collected, and paid certain taxes into the treasury of said county; and

WHEREAS, Said proceedings before said commissioners were afterwards declared void by the courts of said county; and

WHEREAS, Said territory was afterwards reëstablished as a special school district; and

WHEREAS, The money paid by said territory as the village of East Mentor is in part still in the treasury of said county; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of the said county of Lake be and they are hereby authorized and empowered to pay to the treasurer of Mentor township the sum of one hundred and ninety-six and $\frac{46}{100}$ dollars to be placed to the credit of the road fund of said township, also to pay to the treasurer of said Mentor special school district any unexpended balance that has been paid by said special school district into the county treasury of said Lake county.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,
Speaker pro tem. of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 10, 1892.
110L

[House Bill No. 492.]

AN ACT

To supplement section twelve (12) of an act entitled "An act to provide for acquiring land and building an armory in the county of Lucas, for the use of the Ohio national guard, and to create a fund to pay for the same," passed April 24th, 1890 (vol. 87, O. L., p. 598).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 12 of said above entitled act be supplemented by an additional section, as follows:

Sec. 12*a*. The amount of bonds which said county commissioners shall issue and sell upon receipt of the orders of said board of trustees is hereby increased thirteen thousand dollars ($13,000.00); and they shall draw the same rate for interest, mature within the same time, be sold under the same provisions, their proceeds used and treated in the same manner, and any balance not necessary to be used, placed in and kept to the credit of the sinking fund, and taxes levied to pay the interest and provide a sinking fund to pay the same at maturity, as provided in said act in relation to the sixty thousand dollars ($60,000.00) of bonds therein named; the intent hereof being to make said act the same as it would have been had it provided originally (as section 4 was amended February 12, 1891, and) for the issue and sale of seventy-three thousand dollars ($73,000.00) of bonds, and said "issue and sale of armory bonds" had been favored or approved as therein provided, and the greater part thereof had been already issued and sold; provided, however, that so much as necessary of the proceeds of the bonds hereby authorized to be issued and sold shall be used to provide ample and complete ventilation of said armory building and the main drill room therein.

SECTION 2. That this act shall take effect on its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed March 15, 1892.
111L

[House Bill No. 314.]

AN ACT

To authorize the village of Home City, Hamilton county, to borrow money and issue bonds therefor to pay for street improvements.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That the council of the village of Home City, in the county of Hamilton, state of Ohio, be and hereby is authorized to borrow money, not exceeding five thousand dollars ($5,000.00) in amount, to be used in paying for general street improvements in the village, and to issue bonds of said village therefor, the same to bear interest at a rate not exceeding six per cent. per annum, payable semi annually, and to be of such denominations and to mature at such times as said council shall determine. They shall be signed by the mayor, countersigned by the clerk, and be authenticated by the seal of said village; provided, that such bonds shall not be sold for less than their par value.

SECTION 2. Said council is hereby authorized to levy such amount of tax upon the taxable property of said village as may be necessary to pay the interest and principal of such bonds when the same become due, said tax to be levied and collected in the same manner as taxes for general purposes are levied and collected.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.

ANDREW L. HARRIS,
President of the Senate.

Passed March 15, 1892.
112L

[House Bill No. 318.]

AN ACT

To authorize the village of Bellefontaine to issue bonds for construction of electric light plant.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of Bellefontaine, Logan county, Ohio, be and is hereby authorized to issue bonds of said village of any sum not exceeding twenty-five thousand dollars, for the purpose of constructing an electric light plant for lighting the streets and public buildings of said village, and furnishing the same to the citizens thereof, at such prices as said council may deem proper; said bonds shall bear interest not exceeding six per cent. per annum, payable annually, and sold for not less than their par value.

SECTION 2. That the powers herein conferred shall in no case be exercised by the council of such village until authorized by the vote of the qualified electors of such village taken at a general or special election taken therein. That for the purpose of submitting such proposition to a vote of such electors the clerk of such village shall give notice of the time of holding such election, which shall be published in all the newspapers published in such village at least ten days prior to the day of holding such election. Such election shall be held at the usual place of hold-

ing elections and by the officers authorized to preside at elections in such village. The poll-books and tally-sheets of such election shall be forthwith returned to the clerk of said village, who with the mayor of such village shall, at any regular or special meeting of the village council, and in the presence of a quorum of such council, proceed to canvass such vote, and the village clerk shall record the number of votes cast for such proposition and the number of votes against such proposition in such village; and if it appear by the returns of such election that three-fourths of all voters voting at such election have voted in favor of such proposition, such village council shall be authorized to exercise the powers conferred by this act, and if three-fourths of such electors voting at such election shall not have voted in favor of such proposition, such council shall not exercise the powers conferred by this act. The ballots voted at such election shall have written or printed thereon the words, "For the issue of electric light bonds—Yes," and those against, "For the issue of electric light bonds—No."

SECTION 3. Said council is hereby authorized to levy a tax sufficient to pay said bonds and the interest which may accrue thereon in addition to that now authorized by law on all the taxable property of said village.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives
ANDREW L. HARRIS,
President of the Senate.

Passed March 15, 1892.
113L

[House Bill No. 559.]

AN ACT

To authorize the council of the incorporated village of Navarre, Stark county, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Navarre, Stark county, be and is hereby authorized and empowered to transfer from the general purpose fund, three hundred dollars; to the credit of the police fund one hundred and fifty dollars, to the credit of the street light fund one hundred dollars, to the credit of the sanitary fund fifty dollars.

SECTION 2. This act to take effect and be in force on and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 15, 1892.
114L

[Senate Bill No. 109.]

AN ACT

To authorize and direct the commissioners of Butler county to build two bridges across the Great Miami river, and to issue the bonds of said county for the payment of the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Butler county be and the same are hereby authorized and directed to build two bridges across the Great Miami river, one at a point about where Black street, in the city of Hamilton, if extended westwardly, would cross said river, and one at the point where High and Main streets intersect said river in said city, or at any other point centrally located in said city, and at the intersection of streets to be decided upon by the county commissioners, and to construct the necessary approaches thereto.

SECTION 2. That it shall be lawful for said county commissioners and they are hereby directed, unless the same is dedicated by the owner or owners thereof for said purpose, to appropriate the necessary property for the building of said bridges and construction of said approaches, which necessary property shall be appropriated, and the owner or owners thereof compensated in accordance with the law in force providing for the compensation of the owner of private property for the use of corporations.

SECTION 3. That for the purpose of providing for the cost of said bridge at Black street and approaches thereto, the commissioners of said county are hereby authorized and directed to borrow such a sum of money as they may deem necessary, not exceeding the sum of thirty-five thousand dollars, and for the purpose of providing for the cost of said bridge at the intersection of said High and Main streets, or at any other central location, over said Miami river, the commissioners of said county are hereby authorized and directed to borrow such a sum of money as they may deem necessary, not exceeding sixty-five thousand dollars, and to issue the bonds of the county with interest warrants attached thereto therefor; that said bonds shall be payable not sooner than fifteen years, nor later than thirty years from their date, and shall bear interest at a rate not to exceed four and one-half per cent. per annum, payable semi-annually on the first days of January and July of each year, respectively, at the office of the county treasury, on the presentation of the proper interest warrants; that said bonds shall all bear the same date and shall be sold for not less than their par value with accrued interest. Said commissioners are hereby authorized to receive in aid of the construction of said bridge at Black street, private contributions and donations, which, with the proceeds arising from the sale of said bonds, so issued therefor, shall be applied solely to the purpose of building said bridge at Black street and approaches thereto; and the proceeds arising from the sale of said bonds so issued to provide the cost of said bridge at High and Main streets, or other central point, shall be applied solely to the purpose of building said bridge at said High and Main streets or other central point.

SECTION 4. The bonds so issued shall be signed by the commissioners, or any two of them, and countersigned by the auditor and sealed with the county seal, with six months interest bearing coupons signed by the auditor; said bonds to be issued in denominations of not less than five hundred dollars nor larger than one thousand dollars, payable at the office of the county treasurer; and such bonds shall specify distinctly the object for which they were issued.

SECTION 5. For the purpose of paying interest and the principal of said bonds said commissioners are hereby authorized and directed and shall, annually, at their June session, in addition to other taxes levied and collected, levy such amount of taxes as will pay the interest on such indebtedness and create a sinking fund to redeem said bonds when due. If the commissioners fail, refuse, or neglect to levy such tax upon the taxable property of said county, then the auditor shall levy said tax and place the same upon the tax list, and all the taxes levied and collected under the provisions of this act shall be applied to the specific object for which it was levied and no other.

SECTION 6. All bonds issued shall be correctly and consecutively numbered in the order in which they were issued, and shall be registered by the county auditor in the "bond register." The treasurer, in his semi-annual settlement with the auditor and commissioners, shall deliver to said auditor and commissioners all interest bearing coupons by him redeemed, and bonds redeemed which were issued under this act, and receive credit therefor, the same as for vouchers issued by said auditor; and the said auditor shall have said coupons pasted in a book kept for that purpose, and each bond when redeemed must also be pasted in said "bond paster."

SECTION 7. The county commissioners shall not transfer any part of said funds or unexpended balances or either of them, if any, but if there be a balance of either of said funds it shall be kept and used for repairs on said bridge, for which said fund was created and no other.

SECTION 8. The bonds issued for the object stated in section one (1) of this act shall be considered and held to be issued under the general statutes as provided in sections 871 to 876 inclusive, except so far as modified in this act as to meet the requirements of the case as to the length of time of the bonds, the redemption, etc.

SECTION 9. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed March 17, 1892.
115L

[House Bill No. 610.]

AN ACT

To authorize the village of Ashtabula, Ohio, to issue and sell its bonds in any sum not to exceed seven thousand dollars ($7,000), for the improvement of Mary street extension in said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the village of Ashtabula, in the county of Ashtabula, and state of Ohio, be and it is hereby authorized and empowered to issue and sell the bonds of said village in any sum, but not to exceed the sum of seven thousand dollars ($7,000), for the purpose of improving Mary street extension in said village.

SECTION 2. Said bonds when issued and sold, shall not bear interest at a rate exceeding six per cent. per annum, interest to be payable semi-

annually; said bonds to be of such denominations as the council of said village may prescribe; each and all of said bonds shall be made payable at such times and places as said council may prescribe by ordinance, but not to run longer than ten years from this date; said bonds shall not be sold for less than par and the proceeds of the sale of said bonds shall be used only for the purpose of improving Mary street extension in said village.

SECTION 3. Said bonds shall be signed by the mayor and attested and registered by the clerk of said village and shall express upon their face the purpose for and act under which issued. When said bonds are sold, the proceeds thereof shall be paid to the treasurer of said village, who shall hold and disburse the same as other village funds. Said bonds shall be sold from time to time and in such amounts as the council of said village may deem proper.

SECTION 4. If any bonds of said village are issued as herein provided, it shall be the duty of the council of said village, thereafter to assess and levy a tax, in addition to that now authorized by law, on all the taxable property of and in said village of Ashtabula, sufficient to provide for the payment of the principal and interest of said bonds when due and payable, and said taxes shall be collected as other taxes of said village.

SECTION 5. Provided, however, before said bonds can be issued or sold the council of said village of Ashtabula shall submit the question of issuing the bonds aforesaid to the qualified electors of said village at a regular or special election called and held for that purpose, of which election at least ten days' notice shall be given by publication in two newspapers published and of general circulation in said village, which notice shall contain the time and places of holding such election; and if a majority of the electors voting upon said question shall vote in favor of the same, then, and not otherwise, shall the council of said village be authorized to issue the bonds as herein provided. Those voting in favor of the proposition to issue said bonds, shall have written or printed upon their tickets the words, "Authority to issue bonds for improving Mary street extension—Yes;" and those voting against said proposition the words, "Authority to issue bonds for improving Mary street extension—No."

SECTION 6. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,
Speaker pro tem. of the House of Representatives.

ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed March 17, 1892.
116L

[House Bill No. 573.]

AN ACT

To authorize the parsonage trustees of the M. E. church at Mineral Point, New Cumberland circuit, East Ohio conference, to sell and convey the abandoned or vacated parsonage lot situated in New Cumberland, Tuscarawas county, and apply the proceeds of sale to the payment of a parsonage already erected at Mineral Point, New Cumberland circuit.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the parsonage trustees of the M. E. church at Mineral Point, Tus-

carawas county, Ohio, be and they are hereby authorized to sell and convey by proper deed of conveyance the vacated parsonage lot situated in New Cumberland, Tuscarawas county, Ohio, and apply the proceeds of said sale to the payment of a new parsonage already erected by said M. E. church at Mineral Point, on said New Cumberland circuit.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed March 17, 1892.
117L

[House Bill No. 570.]

AN ACT

To authorize the trustees of Tully township, Marion county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the township trustees of Tully township, Marion county, Ohio, are hereby authorized to transfer the sum of fifty dollars from the general township fund to the English sparrow fund of said township.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed March 17, 1892.
118L

[House Bill No. 555.]

AN ACT

To change the name of Celia Groh.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the name of Celia Groh, of Auglaize county, Ohio, be and the same is hereby changed to Frederika Wilhelmine Dierker.

SECTION 2. That such change shall in no way affect the rights, privileges and liabilities of said person.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed March 17, 1892.
119L.

[House Bill No. 539.]

AN ACT

To authorize and to require the trustees of Hale township, Hardin county, Ohio, to issue bonds and levy a tax to pay the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Hale township, Hardin county, Ohio, are hereby authorized and required to issue the bonds of east precinct of said township, exclusive of the incorporated village of Mt. Victory, in any sum not to exceed two thousand dollars ($2,000), in denominations of four hundred dollars ($400.00) each, payable in one, two, three, four and five years, respectively, with six per cent. interest from date, annually, to be sold at not less than their par value, the proceeds to be used in conjunction with the incorporated village of Mt. Victory in purchasing a lot and erecting a town hall thereon.

SECTION 2. That the trustees of said township are further authorized and required to cause to be levied upon all the taxable property within said precinct, exclusive of the incorporated village of Mt. Victory, a sufficient amount each and every year for five years, to pay said bonds with the interest thereon, in addition to the levy now authorized by law, as the same may become due, and to cause the same to be collected according to law.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed March 17, 1892.
120L

[House Bill No. 484.]

AN ACT

To authorize the board of education of the city of Middletown, Butler county, Ohio, to issue bonds in the sum of fifteen thousand dollars ($15,000.00) for school purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of the city of Middletown, Butler county, Ohio, be and the same is hereby authorized and empowered to issue bonds in any sum not exceeding fifteen thousand dollars ($15,000.00) for the purpose of completing school buildings, improving school buildings and school-house grounds, purchasing sites for school-house purposes, and furnishing school buildings with the necessary furniture.

SECTION 2. Said bonds shall be of the denomination of one thousand dollars ($1,000) each and bear interest at the rate of five (5) per cent. per annum, payable semi-annually; principal and interest to be due and payable at such time as the said board of education may by resolution determine. Said bonds shall be sold according to law and for not less than their face value with accrued interest.

SECTION 3. Said board of education shall, annually, levy a tax in addition to the other levy [of] taxes now allowed by law for the purpose of

paying the principal and interest of said bonds as the same shall become due and payable according to the terms thereof.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed March 17, 1892.
121L

[House Bill No. 430.]

AN ACT

To authorize the trustees of Montville township, Geauga county, Ohio, to purchase land and use the same for township cemetery purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Montville township, Geauga county, are hereby authorized to purchase additional land, to be used for cemetery purposes. For the payment of said lands, said trustees are hereby authorized and empowered to issue and sell the bonds of said Montville township not to exceed in amount seven hundred dollars ($700), and to be issued in denominations of not less than one hundred nor more than two hundred dollars. Said bonds shall be issued for a period not exceeding five years from their date of issue, and shall not be sold for less than their par value, and shall bear interest at a rate not to exceed six per cent. per annum.

SECTION 2. In order to meet the payment of said bonds and interest as the same shall become due, said trustees are authorized to levy a tax in addition to that now authorized by law, on all the taxable property of said township.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed March 17, 1892.
122L

[House Bill No. 399.]

AN ACT

To divide Marion township, Henry county, Ohio, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That Marion township, Henry county, Ohio, be and the same is hereby divided into two election precincts, by a line commencing at the east boundary line of said township between sections thirteen (13) and twenty-four (24), and running thence west on the section line between sections thirteen (13) and twenty-four (24), fourteen (14) and twenty-three (23), fifteen (15) and twenty-two (22), sixteen (16) and twenty-one (21), seven-

teen (17) and twenty (20), eighteen (18) and nineteen (19) in said township to the west boundary line of said township. All that portion of said township lying north of said dividing line shall be known as north precinct and all that lying south of said dividing line shall be known as south precinct.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed March 17, 1892.
123L

[House Bill No. 396.]

AN ACT

To authorize the council of the incorporated village of Cambridge, Guernsey county, Ohio, to issue bonds for the purpose of general improvement and benefit of said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Cambridge, Guernsey county, Ohio, be and is hereby authorized to borrow not to exceed twenty thousand ($20,000.00) dollars, to be applied to the grading and macadamizing of the public streets and other improvements of said village.

SECTION 2. That for the purpose of meeting the expenses aforesaid, the said council of the incorporated village of Cambridge, Ohio, is authorized to issue bonds, to be signed by the mayor and attested by the clerk of said village, in denominations of not less than five hundred ($500.00) dollars and not more than one thousand ($1,000.00) dollars, bearing interest at a rate not to exceed six per centum per annum, payable semi-annually; said bonds to be payable at such time or times, not exceeding thirty years from the respective dates thereof as said council may determine, which said bonds shall not be sold for less than their par value and accrued interest, and to be sold without compensation or commission, and said bonds may, in the discretion of said council, have interest coupons attached, and said bonds and interest shall be payable at the village of Cambridge, Ohio.

SECTION 3. That for the purpose of paying said bonds and the interest thereon as the same shall become due, the said council is hereby authorized and empowered to levy on all the taxable property of said village of Cambridge, Guernsey county, Ohio, a tax for such an amount annually, not exceeding two mills, in addition to taxes now authorized by law to be levied, which levy shall be placed on the duplicate by the auditor of said county, collected as other taxes, and when collected paid over to the treasurer of said village.

SECTION 4. That before any contract shall be made, indebtedness contracted, or bonds issued, the question shall be submitted to a vote of the qualified electors of said village of Cambridge, at a municipal or general election, or at a special election that may be called for that purpose by said council, of which election ten days' notice shall be given by the mayor by publication in two newspapers of opposite politics and of general circulation in said village; and if two-thirds of the votes cast at such election be in favor of issuing said bonds, then the council of said village shall be

authorized to issue said bonds and levy said tax as herein provided. Those voting in favor of the issue of said bonds shall have written or printed on their ballots the words "For the issue of bonds—Yes," and those voting against the issue of said bonds shall have written or printed on their ballots the words "For the issue of bonds—No."

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ELBERT L. LAMPSON.
President pro tem. of the Senate.

Passed March 17, 1892.
124L

[House Bill No. 349.]

AN ACT

To divide Auglaize township, Allen county, Ohio, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That Auglaize township, Allen county, Ohio, be and is hereby divided into two election precincts on the sectional line running north and south between sections three (3) and four (4), nine (9) and ten (10), fifteen (15) and sixteen (16), twenty-one (21) and twenty-two (22), twenty-seven (27) and twenty-eight (28), and thirty-three (33) and thirty-four (34).

SECTION 2. That all that portion of said township in said county lying west of said section line shall be designated and known as the "west" precinct of Auglaize township, Allen county, Ohio, and the voting place shall be at the village of Westminster, in said township and county.

SECTION 3. That all of that portion of the township in said county lying east of said section line shall be designated and known as the "east" precinct of Auglaize township, Allen county, Ohio, and the voting place shall be at the village of Harrods, in said township and county.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ELBERT L. LAMPSON.
President pro tem. of the Senate.

Passed March 17, 1892.
125L

[House Bill No. 321.]

AN ACT

Supplemental to "An act to authorize the commissioners of Muskingum county, Ohio, to build a bridge therein named," passed and took effect February 27, 1890 (O. L., vol. 87, p. 412).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Muskingum county, Ohio, be and they are hereby authorized and empowered to acquire, and hold by purchase

or otherwise, such land above low-water mark in the Muskingum river as may be necessary on which to locate, build, construct, erect and maintain the piers, abutments, wing-walls and superstructure of the bridge mentioned in said original act, and to provide for approaches thereto; and if the said county commissioners and the owner or owners of such lands, their guardian or trustee, are unable to agree upon the compensation to be paid for the lands and property sought to be appropriated for such purpose, the said county commissioners are hereby authorized and empowered to appropriate the same; and in case of such appropriation the same proceedings shall be had in all respects as are now provided for appropriation of private property by municipal corporations.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ELBERT L. LAMPSON
President pro tem. of the Senate.

Passed March 17, 1892.
126L

[House Bill No. 298.]

AN ACT

To authorize the commissioners of Pike county, Ohio, to purchase certain toll roads.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of county commissioners of Pike county, Ohio, be and they are hereby empowered and authorized to purchase any or all or any part of the toll roads lying and being within said county, for and at a sum not to exceed seven hundred ($700.00) dollars per mile.

SECTION 2. That for the purpose of paying for said roads or such part or parts thereof as said commissioners may purchase, said commissioners are empowered to issue bonds of said county, in denominations not to exceed five hundred ($500.00) dollars, and in aggregate amounts equal to the purchase price agreed to be paid for said roads or part or parts thereof, conformable to this act, and payable at such times as the commissioners may designate, but none of said bonds to fall due until after the present bonded indebtedness of the county is matured, and which bonds shall bear interest at a rate not to exceed six per cent., payable semi-annually, and which said bonds are to be disposed of according to law by said commissioners.

SECTION 3. That for the purpose of paying said bonds, and the interest that may accrue thereon semi-annually, at the times and several dates said commissioners may designate for their maturity, said commissioners are hereby authorized to levy a tax upon all the taxable property of said county; but the sum shall not be in excess of the present county levy, for the payment of the bonds issued to build free turnpikes.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ELBERT L. LAMPSON
President pro tem. of the Senate.

Passed March 17, 1892.
127L

[House Bill No. 170.]

AN ACT

To reënact and amend section 11 of "An act to incorporate Beverly college, at Beverly," passed February 28, 1843 (O. L., vol. 41, page 92).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 11 of an act to incorporate Beverly college, at Beverly, which was repealed by an act passed March 1st, 1878, O. L , vol. 75, p. 25, be reënacted and amended so as to read as follows:

Sec. 11. The trustees herein provided shall consist of nine members to be elected by the Ohio synod of the Cumberland presbyterian church at the next annual session thereof, as follows: Three for the term of one year, three for the term of two years, and three for the term of three years, and at each annual session of said synod thereafter three trustees shall be elected for the full term of three years. Said trustees, when so elected, shall succeed to all rights and privileges and duties conferred and enjoined upon the trustees of said college as provided in the act to which said section 11 was a part.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 22, 1892.
128L

[House Bill No. 225.]

AN ACT

To authorise the commissioners of Fairfield county to take possession of certain roads.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Fairfield county, Ohio, are hereby authorized and empowered to take possession of any or all county or township roads in said county as are under the control or supervision of the township trustees or district supervisors when said roads, in construction and condition substantially comply with the requirements of roads constructed under section forty-seven hundred and fifty-nine of the Revised Statutes of Ohio, and when it is made to appear to said commissioners that the public interest of said county demands or justifies such action and said commissioners may by order cause any or all such roads to be entered on record as free turnpikes and shall cause the same to be kept in repair as provided in chapter ten of title VII of the Revised Statutes of Ohio.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 22, 1892.
129L

[House Bill No. 91.]

AN ACT

To authorize the council of the village of North Amherst, Lorain county, Ohio, to issue bonds for the purpose of improving Milan street in said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the village council of the village of North Amherst, Lorain county, Ohio, are hereby authorized to issue the bonds of said village in a sum not exceeding eight thousand dollars, in denominations of not more than one thousand dollars each, bearing interest at a rate not exceeding six per centum per annum, payable semi-annually, and redeemable at a period not exceeding ten years from the date of issue. Said bonds shall be signed by the mayor and countersigned by the clerk of said village, and shall not be sold for less than their par value, and may be issued and sold at such times and in such amounts as the council of said village may determine by ordinance.

SECTION 2. The money arising from the sale of said bonds shall be used by the council of said village in raising the grade of Milan street by means of a fill or embankment across the valley of Beaver creek in said village.

SECTION 3. Whenever the bonds of said village shall be issued as provided by this act, it shall be the duty of said council, and said council are hereby authorized to levy a tax on all the taxable property of said village, sufficient to pay the interest accruing semi-annually on said bonds, and to create a sinking fund for the payment of the principal of said bonds as the same shall fall due.

SECTION 4. Before said bonds shall be issued, the council of said village shall submit the question of such issue and taxation to the qualified electors of said village at a special election called for that purpose, at the usual place of holding elections in said village, not less than fifteen days' notice having been given of such election in at least two newspapers, one of each to be of opposite political parties, of general circulation in said village; those electors who favor the issue of said bonds shall have written or printed on their ballots the words "For the issue of bonds;" and those who are opposed to such issue shall have written or printed on their ballots the words "Against the issue of bonds." And a majority of the votes cast at said election in favor of said improvement and issue of bonds, shall authorize the issue of said bonds and the levy of said tax by said council.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed February 4, 1892.
130L

[House Bill No. 320.]

AN ACT

Supplementary to "An act to authorize the commissioners of Muskingum county, Ohio, to build a bridge across the Muskingum river, and to repeal an act passed March 8, 1888" (O L, v. 86, pp. 586, 587), passed and took effect April 3, 1889.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Muskingum county, Ohio, for the purpose of completing the construction of the bridge across the Muskingum river referred to in said original act, be and they hereby are authorized and empowered to issue bonds of said county, not to exceed the sum of sixteen thousand dollars ($16,000.00) in amount, at a rate of interest not exceeding five per cent. per annum, interest payable semi-annually; said bonds to be paid within twenty-five years of the date thereof at the discretion of the commissioners of said county, and the same shall be issued, signed and sold according to law; said bonds shall be issued in such sums as the commissioners of said county may determine, but shall not be sold for less than par value.

SECTION 2. For the purpose of paying the bonds and the interest thereon herein provided for, as the same shall become due and payable, the commissioners are hereby required to levy annually on all the taxable property within the county, a sum sufficient to pay the same in addition to all other taxes authorized by law.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 22, 1892.
131L

[House Bill No. 373.]

AN ACT

To authorize the trustees of Cass township, Muskingum county, to convey certain land and directing investment of proceeds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Cass township, Muskingum county, state of Ohio, be and they are hereby authorized to convey in fee simple to the purchaser thereof the old town hall site in said township, and to invest the proceeds thereof in a town hall building on a new site for the same now owned by said trustees in the village of Trinway in said township.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 22, 1892.
132L

[House Bill No. 407.]

AN ACT

To authorize the board of education of Marice City special school district to issue and sell bonds and provide for the payment thereof.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of Marice City special school district in Putnam county, and state of Ohio, be and they are hereby authorized to issue the bonds of said special school district in a sum not exceeding three thousand ($3,000.00) dollars, in denominations of five hundred ($500.00) dollars each, with interest coupons thereto attached, payable not less than ten years from the date of issue nor more than twenty years from issue as may be determined by said board. Said bonds when so issued to bear interest at a rate not exceeding six per cent. semi-annually, and shall be signed by the president and attested by the clerk of said board, and the same shall not be sold for less than par and accrued interest.

SECTION 2. That the board of education aforesaid be and they are hereby authorized to dispose of said bonds at public or private sale as they may deem best. The principal and interest of said bonds to be payable at the Continental bank in the village of Marice City, Putnam county, Ohio.

SECTION 3. That for the purpose of meeting the interest upon said bonds and to provide a sinking fund for their payment and for the payment of other bonds of said district heretofore issued, the board of education of said village is hereby authorized to levy not exceeding ten mills in any one year upon the dollar valuation of the taxable property in said special school district, in addition to other taxes authorized by law. Said levies to continue for a period not exceeding ten years from the date of the passage of this act.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 22, 1892.
133L

[House Bill No 435.]

AN ACT

To divide Delhi township, Hamilton county, Ohio, into two districts for assessing personal property for taxes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the township of Delhi, Hamilton county, in this state, be and the same is hereby divided into two districts for the purpose of assessing personal property for taxes. The incorporated village of Riverside in said township shall compose one district, and the remainder of said township not embraced in said village, the other district.

SECTION 2. That at the regular township election held in said town-

ship for the election of township officers, there shall be elected one assessor of personal property in each of said districts.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 22, 1892.
134L

[House Bill No. 477.]

AN ACT

To authorize the commissioners of Seneca county, Ohio, to build a bridge across the Sandusky river.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Seneca county, Ohio, be and are hereby authorized and empowered to build a bridge across the Sandusky river at a point on or near the north line of section 9, and the south line of section 4, north, range 15, town 3, Pleasant township, and to construct the necessary approaches thereto as the county commissioners may determine; and for the purpose of raising the money to build said bridge and construct said approaches, said commissioners are hereby authorized and empowered to issue the bonds of said county, not to exceed fifteen thousand dollars, and in amounts not less than one hundred dollars, nor more than one thousand dollars each; and said bonds shall be payable at such times as said commissioners may deem most advantageous, not exceeding ten years from the date of their issue, and said commissioners are authorized to negotiate and sell said bonds at not less than their par value; but the interest on said bonds shall not exceed six per cent. per annum.

SECTION 2. Said bonds shall be signed by the commissioners and countersigned by the auditor of said Seneca county, who shall keep a record of all bonds issued under and by virtue of this act.

SECTION 3. For the purpose of paying the principal and interest of said bonds said commissioners are hereby authorized and empowered, in addition to the other levies authorized by law, to levy a tax on all the property subject to taxation in said county, sufficient in amount to pay said principal and interest thereon as they shall become due; and such tax shall be levied and collected in the same manner as other taxes are levied and collected.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 22, 1892.
135L

[House Bill No. 478.]

AN ACT

To authorize the board of education of the incorporated village of Peninsula, Summit county, Ohio, to borrow money and issue bonds for school purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the incorporated village of Peninsula, Summit county, Ohio, is hereby authorized to borrow money and issue bonds to an amount not exceeding one thousand ($1,000.00) dollars. The proceeds arising from sale of said bonds to be used and appropriated by said board of education for the continuation of the schools of said village and paying off an indebtedness.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 22, 1892.
136L

[House Bill No. 524.]

AN ACT

To authorize the township trustees of Scipio township, in Seneca county, state of Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Scipio township, Seneca county, be and they are hereby authorized to transfer to the general township fund of said township from the soldiers' monument fund the sum of three hundred dollars and twenty-nine cents ($300.29).

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 22, 1892.
137L

[House Bill No. 605.]

AN ACT

To authorize the board of education of the Grafton union school district, Lorain county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the Grafton union school district, Lorain county, Ohio, be and they are hereby authorized and empowered to transfer four hundred and fifty dollars from the building to the contingent fund of said district.

SECTION 2. This act shall take effect and be in force on and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 22, 1892.
138L

[House Bill No. 290.]

AN ACT

To authorise the commissioners of Franklin county, Ohio, to issue bonds for the purpose of building and constructing a bridge across the Scioto river at Town street in the city of Columbus, in said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of county commissioners of Franklin county be and they are hereby authorized to construct a bridge across the Scioto river on Town street in the city of Columbus, county of Franklin, and in the exercise of their powers and the performance of their duties in that behalf they shall be governed by the general statutes on that subject, except in so far as their powers and duties are conferred and prescribed by this act.

SECTION 2. For the purpose of raising money to defray the expense of constructing said bridge said commissioners are hereby authorized and empowered to issue and sell the bonds of said Franklin county according to law, in sums not less than one thousand dollars each, at a rate of interest not to exceed six per centum per annum, payable semi-annually, and not to exceed in the aggregate the sum of fifty thousand dollars; and said commissioners are further authorized to levy a tax on all property on the tax duplicate of said county to pay said bonds as they mature and the interest thereon, for such length of time as may be necessary for that purpose.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed March 22, 1892.
139L

[House Bill No. 471.]

AN ACT

For the relief of J. M. Hopkins and F. O. Peake.

WHEREAS, J. M. Hopkins and F. O. Peake of Sylvania, Lucas county, Ohio, became sureties on a certain bond given by Alonzo W. Bellows, treasurer of said Sylvania village, as required by law, for the term of two years from April 7th, 1890, thereby securing said village from any loss of money by any willful or negligent act on the part of said treasurer; and

WHEREAS, The said Alonzo W. Bellowe, treasurer of said Sylvania village, did, on the first day of September, 1891, absent himself from said village, taking with him the sum of four hundred and ninety-one dollars and sixty-two cents ($491.62), belonging to the funds of said village which will thereby compel the said bondsmen to replace the said above amount in the village treasury; and

WHEREAS, It is desired that the voters of said village may have an opportunity to vote on a proposition for the relief of said above named bondsmen; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the mayor of said Sylvania village, Lucas county, Ohio, be and is hereby authorized and empowered to submit to the electors of said village at the April election in 1892, the question of the relief of J. M. Hopkins and F. O. Peake from replacing in the treasury of said village the sum of $491.62, by reason of their being sureties on said treasurer's bond.

SECTION 2 Said proposition shall be submitted in the form following, and form of the ballots shall be "For relief—Yes;" "For relief—No." There shall be a separate ballot-box provided for such ballot.

SECTION 3. If three-fifths of the electors voting at said election shall vote in favor of relief, then the said bondsmen are thereby released from all liability on said bond, and if found necessary to replace said amount, the common council of said village are hereby authorized to levy a tax in addition to other taxes now by law authorized by them to be levied.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ELBERT L. LAMPSON
President pro tem. of the Senate.

Passed March 22, 1892.
140L

[House Bill No. 569.]

AN ACT

To authorize the trustees of Youngstown township to borrow $2,500.00.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Youngstown township, Mahoning county, Ohio, in anticipation of the collection of judgments against the bondsmen of its defaulting treasurer, and the collection of taxes now levied, shall be, and are hereby authorized to borrow any sum not exceeding $2,500.00 for one year at a rate of interest not exceeding 6 per cent. per annum, and issue and deliver the proper obligations of the township therefor.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ELBERT L. LAMPSON.
President pro tem. of the Senate.

Passed March 22, 1892.
141L

[House Bill No. 584.]

AN ACT

To authorize the board of county commissioners of Fayette county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of commissioners of Fayette county, Ohio, be and they are hereby authorized to transfer the sum of one thousand dollars from the children's home fund of said county to the soldiers' relief fund of said county.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed March 22, 1892.
142L

[House Bill No. 575.]

AN ACT

To authorize the council of the village of Benton Ridge, Hancock county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of Benton Ridge, Hancock county, Ohio, be and is hereby authorized to permanently transfer from the police fund to the general corporation fund the sum of three hundred dollars ($300.00).

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 23, 1892.
143L

[House Bill No. 583.]

AN ACT

To authorize the trustees of Berlin township, Erie county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Berlin township, Erie county, Ohio, be and they are hereby authorized to transfer the sum of one thousand dollars from the township fund to the road fund of said township.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 23, 1892.
144L

[House Bill No. 607.]

AN ACT

To authorize the council of the city of Marion, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the city of Marion, Ohio, be and the same is hereby authorized to transfer from the special street improvement fund of said city the sum of ($2,147.75) two thousand one hundred and forty-seven dollars and seventy-five cents to the street improvement fund.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 23, 1892.
145L

[House Bill No. 608.]

AN ACT

To authorize the council of the incorporated village of Coldwater, Mercer county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Coldwater, Mercer county, Ohio, be and are hereby authorized to transfer one thousand dollars ($1,000 00) from the corporation fund to the fire fund; eight hundred dollars ($800.00) from the corporation fund to the street fund; and sixty-three dollars and seventeen cents ($63.17) from the road fund to the street fund of said village.

SECTION 2. This act shall take effect from its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 23, 1892.
146L

[House Bill No. 638.]

AN ACT

To establish a voting precinct of territory lying in Marion and Seneca townships, Noble county, Ohio, to be known as Whigville precinct.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the following described territory shall constitute a separate voting precinct to be known as Whigville precinct lying and being in Marion and Seneca townships, Noble county, Ohio, to-wit: Commencing at the northwest corner of section three (3), Marion township, on the line between the said Marion and Center townships of said Noble county, running thence south along said line to the northwest corner of the southwest quarter of section fifteen (15) of said Marion township; thence east to the southeast corner of the northeast quarter of section fourteen (14) of said Marion township; thence north along said section line to the northeast corner of said section fourteen (14); thence east to the southeast corner of section twelve (12) of said Marion township; thence north to the northwest corner of section thirty-three (33) of said Marion township; thence east to the northeast corner of said section thirty-three (33); thence north to the northeast corner of section thirty-six (36) of said Marion township; thence west to the northwest corner of said section thirty-six (36); thence south to the northeast corner of section twenty-five (25) of said Seneca township; thence west to the northwest corner of said last named section twenty-five (25); thence south to the northeast corner of the southeast quarter of section twenty-six (26) of said Seneca township; thence west to the northwest corner of the southeast quarter of said last named section twenty-six (26); thence south to the southwest corner of the southeast quarter of said section twenty-six (26); thence west to the northwest corner of section thirty-five of said Seneca township; thence south to the northeast corner of the southeast quarter of section thirty-four (34) of said Seneca township; thence west to the northwest corner of the southeast quarter of said last named section thirty-four (34); thence south to the southwest corner of the southeast quarter of said section thirty-four (34); thence west along the line between said Marion and Seneca townships, to the place of beginning.

SECTION 2. This act to take effect and be in force from and after the first day of May, 1892.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 23, 1892.
147L

[House Bill No. 648.]

AN ACT

To authorize and direct the trustees of Danbury township, in Ottawa county, to levy a tax to pay the indebtedness of the one-mile assessment pike known as the Alexander turnpike.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Danbury township in Ottawa county are authorized

and directed to levy a tax, not exceeding in any one year two mills on each dollar of valuation, upon the taxable real and personal property of the township, including the taxable real and personal property within the village of Marblehead, and apply said tax to the payment of the indebtedness of the one-mile assessment pike known as the Alexander turnpike; and any surplus of said tax remaining after the payment of said turnpike indebtedness shall be transferred to the free turnpike fund of said township.

SECTION 2. This act shall take effect and be in force on and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 23, 1892.
148L

[Senate Bill No. 151.]

AN ACT

To authorize the board of education of Walnut township, Pickaway county, to borrow money and erect a school-house.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of Walnut township, Pickaway county, Ohio, be and is hereby authorized and empowered to borrow money in any sum not exceeding two thousand dollars ($2,000), at a rate of interest not exceeding six per centum per annum, for the purpose of building a school-house in subdistrict No. 8, of said township. The said loan to be made in anticipation of the regular levy for school purposes in the township for the year 1892, and to be paid from the proceeds of said levy when the same or a sufficient part thereof has been received by the township treasurer.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 24, 1892.
149L

[Senate Bill No. 175.]

AN ACT

To authorize the commissioners of Franklin county to complete a bridge across the Olentangy river at Fifth avenue, in the city of Columbus.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Franklin county be and they are hereby authorized to complete the building of a bridge across the Olentangy river at Fifth avenue, in the city of Columbus, authorized to be constructed by

an act of the general assembly of Ohio, passed March 10, 1891; and for the purpose of raising money to defray the expense of completing said bridge, said commissioners are hereby authorized and empowered to issue and sell the bonds of said county, in pursuance of law, in sums not less than one thousand dollars each, at a rate of interest not to exceed six per centum per annum, payable semi-annually, and not to exceed in the aggregate the sum of twelve thousand dollars; and said commissioners are further authorized to levy a tax on all the taxable property of said county to pay said bonds as they mature, and the interest thereon, and at such a rate and for such length of time as may be necessary for the purpose.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 24, 1892.
150L

[Senate Bill No. 179.]

AN ACT

To authorize the county commissioners of Clermont county to issue bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of commissioners of Clermont county be and they are hereby authorized to issue the bonds of said county in any sum not exceeding ten thousand dollars, for the purpose of paying an existing indebtedness in the infirmary fund of said county, and any sum not exceeding fifteen thousand dollars to pay an existing indebtedness in the county fund of said county. Said bonds shall be issued for such lengths of time and in such amounts as the board of county commissioners shall deem proper, and shall bear interest at a rate not exceeding five per centum per annum, payable semi-annually.

SECTION 2. The board of county commissioners are hereby authorized to levy a tax, annually, in addition to all other taxes now authorized by law, for the purpose of paying interest on and redeeming said bonds as they may mature.

SECTION 3. The board of county commissioners of said county are hereby authorized to levy a tax on all the taxable property of said county for general county purposes, in an amount not exceeding one mill on the dollar valuation, each year, in addition to the amount now authorized to be levied for said purpose, the same to be entered upon the general duplicate of said county and collected in the same manner as other taxes.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 24, 1892.
151L

[Senate Bill No. 183.]

AN ACT

To authorize the board of education of New Holland special school district, Pickaway county, to issue bonds and purchase a site, and erect thereon a new school-house.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of New Holland special school district in Pickaway county, be and is hereby authorized to purchase a suitable site and build thereon a school-house and furnish the same, at a cost not exceeding ten thousand dollars.

SECTION 2. To provide for the expense of said site and school-house, the board of education is hereby authorized to issue bonds, signed by the president and countersigned by the clerk of the said board, in sums not less than one hundred dollars each, bearing interest not to exceed six per cent. per annum, payable semi-annually on or before the first day of March and September of each year; the time of payment of the last of said bonds falling due not to be later than September 1, A. D. 1902, as the board of education may determine; provided, that none of said bonds shall be sold for less than par value, and the proceeds shall not be applied to any other purpose than as specified in section one of this act.

SECTION 3. The said board of education is hereby authorized to levy a tax, annually, on all the property of said special school district as shown by the tax duplicate thereof, sufficient to pay said bonds, together with the interest thereon as they shall fall due, which levy shall be placed on the tax duplicate by the auditor of said county and collected as other taxes, and said levy shall be in addition to other taxes authorized by law.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 24, 1892.
152L

[Senate Bill No. 207.]

AN ACT

To authorize the commissioners of Coshocton county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Coshocton county be and they are hereby authorized to transfer the sum of nine (9) thousand dollars from the poor fund to the county fund of said county.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 24, 1892.
153L

[Senate Bill No 221.]

AN ACT

To authorize the board of education of Pierpont township, Ashtabula county, Ohio, to borrow money and issue bonds therefor for the purpose of erecting a high school building, furnishing and heating the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of Pierpont township, Ashtabula county, Ohio, be and is hereby authorized to borrow a sum of money not to exceed four thousand dollars ($4,000) to be applied to the expense to be incurred by said board of education in the erection and furnishing of a high school building in said township.

SECTION 2. That for the purpose aforesaid, the board of education of said township is authorized to issue and sell the bonds of said township, to be signed by the president and clerk of said board of education; said bonds to be for sums not to exceed $500 each, bearing interest at a rate not to exceed (6 %) six per cent. per annum, payable annually; said bonds to be payable at such time or times, not exceeding four years from the respective dates thereof, as said board of education may determine; which said bonds shall not be sold for less than their par value, and to be sold without compensation or commission, and said bonds may be made payable at any place to be designated in said bonds.

SECTION 3. That for the purpose of paying said bonds and the interest thereon as the same shall become due, the said board of education is hereby authorized and empowered to levy annually a tax on all the taxable property of said Pierpont township, which levy may, if it become necessary, be in addition to that now authorized by law for school purposes, and shall be made at such a rate as to meet the payment of the bonds as they may become due, with the interest on the same, and shall be placed on the duplicate by the auditor of Ashtabula county, collected as other taxes, and when collected paid over to the treasurer of said board of education.

SECTION 4. That the question of issuing said bonds and levying said tax shall be submitted to the qualified voters of said Pierpont township, at a regular or special election, due notice of which shall be given at least ten days before holding said election, by the board of education of said township, by posting in not less than five conspicuous places in said township notices of the time, place and purpose of holding said election. Those of the qualified voters of said township voting at said election who favor the erection of said school building, and issuing of bonds therefor, shall have written or printed on their ballots, "Shall school building be erected, and bonds issued therefor—Yes;" and those opposing the same the words, "Shall school building be erected, and bonds issued therefor—No;" and if a majority of the ballots cast at said election shall have written or printed thereon the words, "Shall school building be erected, and bonds issued therefor—Yes," then said board of education shall be authorized to issue said bonds, erect said [high] school building, and make said levy.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 24, 1892.
154L

[Senate Bill No. 183.]

AN ACT

To authorize the board of education of New Holland special school district, Pickaway county, to issue bonds and purchase a site, and erect thereon a new school-house.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of New Holland special school district in Pickaway county, be and is hereby authorized to purchase a suitable site and build thereon a school-house and furnish the same, at a cost not exceeding ten thousand dollars.

SECTION 2. To provide for the expense of said site and school-house, the board of education is hereby authorized to issue bonds, signed by the president and countersigned by the clerk of the said board, in sums not less than one hundred dollars each, bearing interest not to exceed six per cent. per annum, payable semi-annually on or before the first day of March and September of each year; the time of payment of the last of said bonds falling due not to be later than September 1, A. D. 1902, as the board of education may determine; provided, that none of said bonds shall be sold for less than par value, and the proceeds shall not be applied to any other purpose than as specified in section one of this act.

SECTION 3. The said board of education is hereby authorized to levy a tax, annually, on all the property of said special school district as shown by the tax duplicate thereof, sufficient to pay said bonds, together with the interest thereon as they shall fall due, which levy shall be placed on the tax duplicate by the auditor of said county and collected as other taxes, and said levy shall be in addition to other taxes authorized by law.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 24, 1892.
152L

[Senate Bill No. 207.]

AN ACT

To authorize the commissioners of Coshocton county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Coshocton county be and they are hereby authorized to transfer the sum of nine (9) thousand dollars from the poor fund to the county fund of said county.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 24, 1892.
153L

[Senate Bill No 221.]

AN ACT

To authorize the board of education of Pierpont township, Ashtabula county, Ohio, to borrow money and issue bonds therefor for the purpose of erecting a high school building, furnishing and heating the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of Pierpont township, Ashtabula county, Ohio, be and is hereby authorized to borrow a sum of money not to exceed four thousand dollars ($4,000) to be applied to the expense to be incurred by said board of education in the erection and furnishing of a high school building in said township.

SECTION 2. That for the purpose aforesaid, the board of education of said township is authorized to issue and sell the bonds of said township, to be signed by the president and clerk of said board of education; said bonds to be for sums not to exceed $500 each, bearing interest at a rate not to exceed (6 %) six per cent. per annum, payable annually; said bonds to be payable at such time or times, not exceeding four years from the respective dates thereof, as said board of education may determine; which said bonds shall not be sold for less than their par value, and to be sold without compensation or commission, and said bonds may be made payable at any place to be designated in said bonds.

SECTION 3. That for the purpose of paying said bonds and the interest thereon as the same shall become due, the said board of education is hereby authorized and empowered to levy annually a tax on all the taxable property of said Pierpont township, which levy may, if it become necessary, be in addition to that now authorized by law for school purposes, and shall be made at such a rate as to meet the payment of the bonds as they may become due, with the interest on the same, and shall be placed on the duplicate by the auditor of Ashtabula county, collected as other taxes, and when collected paid over to the treasurer of said board of education.

SECTION 4. That the question of issuing said bonds and levying said tax shall be submitted to the qualified voters of said Pierpont township, at a regular or special election, due notice of which shall be given at least ten days before holding said election, by the board of education of said township, by posting in not less than five conspicuous places in said township notices of the time, place and purpose of holding said election. Those of the qualified voters of said township voting at said election who favor the erection of said school building, and issuing of bonds therefor, shall have written or printed on their ballots, "Shall school building be erected, and bonds issued therefor—Yes;" and those opposing the same the words, "Shall school building be erected, and bonds issued therefor—No;" and if a majority of the ballots cast at said election shall have written or printed thereon the words, "Shall school building be erected, and bonds issued therefor—Yes," then said board of education shall be authorized to issue said bonds, erect said [high] school building, and make said levy.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.

ANDREW L. HARRIS,
President of the Senate.

Passed March 24, 1892.
154L

[House Bill No. 562.]

AN ACT

To authorize the commissioners of Greene county, Ohio, to make certain road improvement.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Greene county, Ohio, are hereby authorized and required to cause so much of the following described road to be improved: Beginning at the Clinton county line at the east termination of the Wilmington and Jamestown pike road, about one-half mile northeast of Port William, thence northeast to its intersection with the Hussey turnpike road at Gunnersville in Greene county, to be improved by grading, graveling, building bridges, and culverts, when the necessary proceedings have been instituted therefor as hereinafter provided. Seventy per centum of the cost and expense of the said improvement to be borne by said county, and the residue to be levied and assessed upon the property and lands benefited, and collected as hereinafter directed.

SECTION 2. Whenever the requisite steps by petition, shall have been taken for the authorization and establishment of a free turnpike road out of the said road, beginning at a point at the termination of the said Wilmington and Jamestown pike and running thence to the Hussey pike road, which is hereby authorized in accordance with the provision of chapter seven, title seven, of the Revised Statutes of Ohio, entitled one-mile assessment pikes, except as in this act otherwise provided, said county commissioners shall proceed to cause said free turnpike road to be established and constructed in accordance with said provisions, except that seventy per centum of the cost and expenses thereof shall be paid by the said county as herein provided, and thirty per centum of the cost and expenses thereof shall be levied upon the lands and taxable property within the bounds of said road so to be laid out and established, and all and singular of said provisions of said chapter shall be operative and in force, and shall be complied with so far as applicable in all respects as to said improvement with the exceptions aforesaid.

SECTION 3. Whenever a petition shall be presented to said county commissioners praying for the improvement of said road as described above, and a bond filed as provided in section No. 4831 of said Revised Statutes, said county commissioners shall proceed in accordance with chapter 8, of said title 7, of said Revised Statutes, entitled "two-mile assessment pikes," to cause the improvement prayed for to be made, except as herein otherwise provided, and all and singular the provisions of said chapter 8 shall be operative and in force, and shall be complied with as to such improvement, which shall be made in accordance herewith, except that seventy per centum of the cost and expenses shall be borne by said county as herein provided, and thirty per centum shall be assessed upon the lands and taxable property assessable for the same.

SECTION 4. For the purpose of providing money to meet said seventy per centum of the cost and expenses of said improvement when ordered, said county commissioners are authorized and directed as the same may be needed to issue the bonds of the said county of the denomination of one hundred dollars, or multiple thereof, bearing interest not exceeding the rate of six per cent. per annum, payable semi-annually, at the treasury of said county, and to sell the same to the best advantage but not less than their par value, placing the proceeds in the county treasury. The said bonds shall have such time to run as that one-tenth of a mill to the

dollar levy yearly on the grand duplicate of said county shall raise sufficient money to pay off the same with interest as it accrues. And said county commissioners shall annually levy a tax on all the taxable property of said county of one-tenth of a mill to the dollar, or so much thereof as shall be needed to redeem said bonds and pay the interest thereon as the same becomes due. The money realized from said bonds shall be paid out of said treasury by orders of the said commissioners on the warrant of the county auditor.

SECTION 5. This act shall take effect and be in force on its passage.

ELVERTON J. CLAPP,
Speaker pro tem. of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 24, 1892.
155L

[House Bill No. 582.]

AN ACT

To authorize the trustees of Florence township, Erie county, to levy an additional tax, for sidewalk purposes, in the Birmingham special school district.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Florence township, Erie county, be and are hereby authorized to levy a tax for the years 1892 and 1893 on all the taxable property within said Birmingham special school district, not to exceed five mills on the dollar for each year in addition to the levy now authorized by law, the same to be collected as other taxes, for the purpose of building sidewalks, in said district, under the supervision of said trustees.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,
Speaker pro tem. of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 24, 1892.
156L

[House Bill No. 629.]

AN ACT

To authorize the commissioners of Holmes county, Ohio, to transfer certain funds of said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Holmes county, Ohio, be and they are hereby authorized to transfer the sum of three thousand nine hundred and sixty-eight dollars and fifty-six cents ($3,968.56) from the building fund; fifteen hundred dollars ($1,500) from the dog tax fund; and one hundred and fifty-four dollars and fifty-nine cents ($154.59) from the county fund to the court-house bonded indebtedness fund.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,
Speaker pro tem. of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 24, 1892.
157L

[House Bill No. 633.]

AN ACT

To change the name of Edward P. Franks to Edward P. Whitney.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the name of Edward P. Franks of Lorain county, Ohio, be and the same is hereby changed to Edward P. Whitney.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,
Speaker pro tem. of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 24, 1892.
158L

[House Bill No. 642.]

AN ACT

To authorize the school board of Rarden special school district, Scioto county, to levy a tax to pay indebtedness.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the school board of the special school district of Rarden, Scioto county, Ohio, be and it is hereby authorized to levy, in addition to the amount now allowed by law, a tax of not to exceed three mills on the dollar, for three years, for the purpose of paying an indebtedness incurred in building a school-house, and other expenses incidental thereto.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,
Speaker pro tem. of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 24, 1892.
159L

[House Bill No. 645.]

AN ACT

To change the name of Sarah W. Park of Lexington township, Stark county, Ohio, to Sarah W. Arbuckle.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the name of Sarah W. Park, a resident of Stark county, Ohio, be and the same is hereby changed so as to read as follows, to-wit: Sarah W. Arbuckle.

SECTION 2. That said change shall in no wise affect the rights, privileges and liabilities of said person.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,
Speaker pro tem. of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 24, 1892.
160L

[House Bill No. 653.]

AN ACT

To release Thomas McLees, Nathan L. Smith, Jonas E. Shaver and William Mitchell, sureties on the official bonds of Israel A. Marshall, as treasurer of Blue Rock township, Muskingum county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees and board of education of Blue Rock township, Muskingum county, Ohio, are authorized to fully release and discharge Thomas McLees, Nathan L. Smith, Jonas E. Shaver and William Mitchell, securities on the official bonds of Israel A. Marshall as treasurer of said township, from the payment of $840.48 and interest from April 1st, 1891, belonging to the township and school funds of said township; provided, that the said trustees shall submit said proposition to release, upon ten days' notice being given (by printed notices put up in five of the most public places of the township) to the qualified electors of said township at the April election, 1892, and a majority of said electors at such election shall declare in favor of such release, and those favoring such releases shall have written or printed on the regular tickets voted by them the words, "Release of treasurer's securities—Yes," and those opposed, "Release of treasurer's securities—No."

SECTION 2. This act shall take effect from and after its passage.

ELVERTON J. CLAPP,
Speaker pro tem. of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 24, 1892.
161L

[House Bill No. 544.]

AN ACT

Supplementary to an act entitled "An act to authorize the commissioners of Mahoning county to build a bridge across the Mahoning river," passed April 16th, 1890, and recorded in vol. 87 Ohio laws, page 557.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Mahoning county be and they are hereby authorized and empowered to issue the bonds of said county to complete the bridge and its approaches referred to in the act passed April 16th, 1890, and to which this act is supplementary. The amount of bonds herein authorized to be issued, not to exceed twenty-five thousand dollars ($25,000), in sums of not less than five hundred ($500), nor more than one thousand ($1,000) dollars each, payable at such times as said board of commissioners may fix, not exceeding seven (7) years from the date of their issue; and said board is hereby authorized and empowered to negotiate and sell the same as provided by law; but the interest upon said bonds shall not exceed five per cent. (5%) per annum, nor shall they be sold for less than their par value.

SECTION 2. For the purpose of providing money for the payment of the principal and interest of said bonds herein authorized to be issued, and for the payment of the principal and interest of the bonds issued under the act referred to in the title as the same shall become due, the commissioners of said county are hereby authorized to levy a tax on all the taxable property of the county not exceeding eight-tenths ($\frac{8}{10}$) of one mill on the dollar, or so much thereof as shall be needed to redeem such bonds and pay the interest thereon, as the same becomes due; said tax herein authorized to be levied to be in addition to all the taxes now authorized by law.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 28, 1892.
162L

[House Bill No. 549.]

AN ACT

To authorize the trustees of Liberty township in Van Wert county, Ohio, to levy taxes to improve public highways in said township.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of the township of Liberty, in the county of Van Wert, in the state of Ohio, be and are hereby authorized to levy and assess upon the taxable property of Liberty township, in the county of Van Wert, and state of Ohio, including the incorporated village of Ohio City, situated in the township of Liberty, county of Van Wert and state of Ohio, a tax not exceeding five mills in any one year upon the dollar valuation of the taxable property of said township in addition to other taxes authorized by

law, for the purpose of improving, by macadamizing and graveling, the public highways in said township, as may be deemed expedient or necessary by the board of trustees of said township, and for no other purpose.

SECTION 2. That the taxes authorized to be levied shall be placed by the county auditor upon the taxable property of the township and collected by the county treasurer as other taxes, and when collected shall be paid to the township treasurer of the township from which the same was collected, and be under the control of the township trustees thereof, for the purpose of improving, by macadamizing and graveling, the public highways.

SECTION 3. The board of trustees shall, upon the levy being made, designate the roads to be improved, which shall be first the main and leading roads of the township, and upon which the material can be most easily procured. The board of trustees, after having determined which roads are to be improved, shall examine such roads and ascertain if the proposed roads are sufficiently graded and drained, and if such be not the case, they may take to their assistance a competent surveyor or engineer, whose duty it shall be to make, under the directions of the board of trustees, a survey and level of the roads so selected, fix the grade of the roads and the grade and capacity of the drains on the sides thereof. The trustees shall cause to be constructed all necessary culverts on such roads, fix the width of the graveled or macadamized track not less than nine feet nor more than sixteen feet, and the depth thereof not less than eight nor more than twelve inches in the center, and the slope from the center to the sides. The trustees may consolidate the road districts through which any such proposed road improvement passes, and direct the supervisors of such road district to work the two days' labor in such district in hauling the material, such as crushed stone or gravel, upon such road. The work of hauling the material upon the road in such road district shall be under the supervision of the supervisor of such district, but be performed in such manner as shall be prescribed by the trustees.

SECTION 4. A majority of the board of trustees shall be necessary to order the said road improvement, and the work of the construction and the furnishing of the material for such road improvement shall be publicly let, excepting such work as may be done by the supervisors of the road district as herein provided; the contract for material to be used in the construction of said road improvement and the contract for hauling said material upon the roads shall be let separately.

SECTION 5. The trustees, after having given public notice of the time and place of such letting for at least two weeks in a newspaper of general circulation in the township or county, or by handbills, or both, at the discretion of the board of trustees, specifying the kind and quality of the material, and the part of the road upon which the same is to be used, shall let the same to the lowest bidder, who shall give bond to the satisfaction of the trustees. The bids for the material and for the work of hauling the same shall be separately stated, and the trustees may reject any or all bids; the trustees shall examine and accept the work when completed, and ascertain the amount of material furnished under the provisions of this act, and if found in all respects correct, shall draw an order for the amount due for work, or for material furnished, upon the township treasurer which shall be countersigned by the township clerk.

SECTION 6. The board of trustees may appoint one of their number, or some other suitable person, who shall oversee the work, and for services

rendered under the provisions of this act, they shall be entitled to receive for each day actually employed, the sum of one dollar and fifty cents per day, and the trustees shall provide for the township clerk a suitable book in which there shall be kept a complete record of the business transacted under the provisions of this act; and it is hereby made his duty to keep a full and complete record of the actions of the board of trustees under this act, and the township clerk for making said record shall be entitled to receive ten cents per hundred words and for all other services such reasonable compensation as may be allowed by the board of trustees.

SECTION 7. The fees of the township officers, the engineer and the person who may be appointed by the board of trustees under the provisions of this act, shall be paid out of the township road fund, but before any payments shall be made for services rendered under the provisions of this act, the person entitled thereto shall make out and file with the township clerk an itemized account of his services, whereupon the trustees shall, if they find the same correct, draw an order on the township treasurer countersigned by the township clerk.

SECTION 8. The roads graveled or macadamized under the provisions of this act shall be free to the public travel, and shall be kept in repair by the trustees, out of the funds that come into the township treasury from the county treasurer, as provided for in section one thousand four hundred and fifty-nine (1459) of the Revised Statutes of Ohio.

SECTION 9. Provided, that after the trustees of said township have made the levy and commenced and continue to improve the public highway as herein provided, the property in said township shall be exempt from any levy by the commissioners of said county for the purpose of constructing, maintaining or improving roads.

SECTION 10. Provided, however, that before levying said additional tax, the question shall be submitted to the qualified electors of said village and township at a special or general election, notice of which shall be given by written or printed notices posted in not less than five conspicuous places in said township. Those who are in favor of levying said tax, shall have written or printed on their ballots the words, "Road improvement tax—Yes;" those who are opposed shall have written or printed thereon the words, "Road improvement tax—No;" and if a majority of those voting on said proposition are in favor of the same, then it shall be the duty of said trustees to make said levy as hereinbefore directed.

SECTION 11. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 28, 1892.
163L

[House Bill No. 572.]

AN ACT

To authorize the commissioners of Seneca county, Ohio, to build a bridge across the Sandusky river.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Seneca county, Ohio, be and are hereby

authorized and empowered to build a bridge across the Sandusky river at a point extending from the foot of Monroe street to Lafayette street, in Tiffin, Ohio, and to construct the necessary approaches thereto as the county commissioners may determine; and for the purpose of raising the money to build said bridge and construct said approaches, said commissioners are hereby authorized and empowered to issue the bonds of said county, not to exceed fifteen thousand dollars, and in amounts not less than one hundred dollars, nor more than one thousand dollars each; and said bonds shall be payable at such times as said commissioners may deem most advantageous, not exceeding ten years from the date of their issue, and said commissioners are authorized to negotiate and sell said bonds at not less than their par value; but the interest on said bonds shall not exceed six per cent. per annum.

SECTION 2. Said bonds shall be signed by the commissioners and countersigned by the auditor of said Seneca county, who shall keep a record of all bonds issued under and by virtue of this act.

SECTION 3. For the purpose of paying the principal and interest of said bonds said commissioners are hereby authorized and empowered, in addition to the other levies authorized by law, to levy a tax on all the property subject to taxation in said county, sufficient in amount to pay said principal and interest thereon as they shall become due; and such tax shall be levied and collected in the same manner as other taxes are levied and collected.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 28, 1892.
164L

[House Bill No. 577.]

AN ACT

To authorize the incorporated village of Blanchester to issue bonds and levy a tax, the money arising from the same to be used for the purchase of real estate for a town hall and other public uses in said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village [of] Blanchester, in the county of Clinton, Ohio, be and the same is hereby authorized to issue the bonds of said village in amount not exceeding thirty-five hundred dollars, as hereinafter provided, for the purposes following, to-wit: To purchase real estate for a town hall and other public uses in said village of Blanchester.

SECTION 2. Said bonds shall be of such denomination, payable at such times not less than ten years from the date of issue, and bear interest at such rate not exceeding seven per cent. payable semi-annually as the council of said village may direct, but said bonds shall not be sold for less than their par value.

SECTION 3. For the purpose of paying said bonds and the interest thereon as the same may become due, the said council is hereby authorized to levy a tax on all the taxable property of said village in addition to

that authorized by law, to such amount each year as shall be necessary for the payment of the principal and interest of said bonds.

SECTION 4. Before the said council shall have authority to issue said bonds and levy said tax, the question of such issue and levy shall first be submitted to the voters of said village at a regular or special election held for that purpose. Such election shall be held in the same manner and at the same place where elections are usually held in said village; notice thereof [whereof] shall be given by publication in a newspaper printed in and of general circulation in said village for two consecutive weeks prior to said election, and the date of the last publication thereof shall be deemed to complete such publication. Those electors who favor the issue of such bonds and the levy of such tax shall have written or printed on their ballots the words "Issue of bonds—Yes," and those who are opposed to such issue and levy shall have written or printed on their ballots the words "Issue of bonds—No," and if a majority of the votes cast upon the question at such election are in favor of the issue of such bonds, the council of said village shall be authorized to issue said bonds and make said levy for the purposes aforesaid.

SECTION 5. This act shall be in force on and after its passage..

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 28, 1892.
165L

[House Bill No. 598.]

AN ACT

To authorize the trustees of Marion township, Hancock county, Ohio, to improve the roads in said township.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That the board of township trustees of Marion township, Hancock county, Ohio, be and are hereby authorized and empowered to improve by grading, draining and graveling or macadamizing, or both, any state, county or township road or part thereof, within said township, and to levy therefor a tax on all the taxable property of said township, listed on the general duplicate for taxation, not to exceed in any one year five mills, for not exceeding twenty-nine (29) years, in manner and upon conditions hereinafter specified and prescribed.

SECTION 2. The roads improved under the provisions of this act shall not be more than sixty nor less than thirty feet wide, shall be graded so as to drain freely to the sides, and the macadamizing or graveling, or both, when completed, shall not be less than ten nor more than sixteen feet in width, nor less than ten inches thick in the center, and not less than six inches thick at the sides; the roads shall be well provided with all necessary side-drains and other ditches providing an outlet for the drainage of the road-bed.

SECTION 3. To anticipate the receipts which may come into the county treasury by virtue of such tax, the township trustees may borrow such sum of money as shall not exceed nine-tenths ($\frac{9}{10}$) of the tax levied or to be levied, at a rate of interest not to exceed six (6) per cent. per

annum, interest payable semi-annually, and issue bonds therefor in sums of not less than one hundred nor more than one thousand dollars ($1,000.00) each, payable at such times and places as may be determined by said board of township trustees; but no bond shall extend beyond a period of thirty years, and shall not be sold for less than their par value.

SECTION 4. The township trustees of said township shall appoint a township supervisor or superintendent who shall have the general supervision over the roads to be improved, under the direction and guidance of the board of township trustees. This supervisor shall, before entering upon his duties, execute a bond in the penal sum of one thousand dollars ($1,000.00), payable to the trustees of said township, and conditioned upon the faithful discharge of his duties; said supervisor shall be appointed for no longer than one year at a time, but his continuance in the employ of the trustees during that time shall depend on the faithful and intelligent performance of his duties; and the said supervisor shall receive for his services the sum of two (2) dollars per day for the time actually employed in working and supervising the work in said township.

SECTION 5. The money collected by taxation shall be expended under the direction of said township trustees, in such manner as shall seem to them most advantageous to the interest of said township, for the graveling, macadamizing, or for the construction, reconstruction, or repair of such principal highways of said township as have been selected for improvement.

SECTION 6. Before the trustees shall make any levy under this act, there shall be presented to them a request in writing signed by not less than fifty resident taxpayers of said township, and the said trustees shall then submit the question of accepting or rejecting the provisions of this act, to the qualified electors of said township, at a regular election, after giving at least twelve days' notice thereof, by posting in ten (10) of the most public places in said township, written or printed notices. The tickets to be voted at any election at which said question shall be submitted, shall have printed thereon the words, "Road improvement—Yes;" or, "Road improvement—No;" and returns of said election shall be made by the officers thereof, within five (5) days to the township trustees.

SECTION 7. If, at any time after one (1) year from any election which shall be held under the provisions of this act, fifty (50) or more taxpayers of said township shall, by written notice to the township trustees, request an election to be held within said township for the purpose of voting upon the question of accepting or rejecting the provisions of this act, the township trustees shall, at least twelve (12) days before the next general election, proceed to give notice of such election, as is provided in section six (6), which election shall be held and returns thereof made in the same manner as is prescribed in section six (6) of this act.

SECTION 8. After the passage of this act, and upon the acceptance of its provisions by the legal voters of said township as provided in section six (6), all road repair fund which may hereafter be levied by the commissioners of Hancock county, shall cease so far as relates to Marion township; and said township shall be exempt from said levy.

SECTION 9. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 28, 1892.
166L

[House Bill No. 615.]

AN ACT

To authorize the board of education of the Union school district of Salineville, Columbiana county, Ohio, to increase the tax levy of said district.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of the Union school district of Salineville, Columbiana county, Ohio, is hereby authorized to increase the tax levy not to exceed three mills on the dollar on each dollar valuation of the taxable property of said school district, in addition to that now authorized by law, for the purpose of supporting and continuing the schools in said school district.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 28, 1892.
167L

[House Bill No. 624.]

AN ACT

To authorize the commissioners of Fairfield county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Fairfield county, Ohio, be and they are hereby authorized to transfer the sum of twelve hundred dollars from the building fund of said county to the dog fund, and eighteen hundred and ninety-six and $\frac{94}{100}$ dollars from the building fund to the school fund of said county.

SECTION 2. This act shall take effect on its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 28, 1892.
168L

[House Bill No. 627.]

AN ACT

To create a special school district in Cheshire township, Gallia county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following described territory in the township of Cheshire, county of Gallia, state of Ohio, be and is hereby made and constituted a special school district, to-wit: Beginning at the southeast corner of section number one (1) in Cheshire township, Gallia county, state of Ohio; thence west on the south line of said township to the west end of one hundred

(100) acre lot number four hundred and twenty (420), in said section of said township; thence north to the north line of the south half of section eight (8) in said township; thence east to the Ohio river; thence along the bank of said river in a southerly direction to the place of beginning.

SECTION 2. Said special school district shall be entitled to receive its proportionate share of the school funds, and the funds levied for incidental expenses, in accordance with the enumeration of the year 1891 of school children entitled to attend school; said funds being those now collected within the township or county treasuries, and shall be governed by such laws as are now, or may hereafter be, in force relating to special school districts; provided, there shall be elected in such special school district on the second Monday in April next, six (6) members of the board of education, two (2) to serve one (1) year, two (2) to serve for two (2) years, and two (2) to serve three (3) years.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 28, 1892.
169L

[House Bill No. 640.]

AN ACT

To authorize and require the commissioners of Ross county, Ohio, to issue bonds to pay the floating indebtedness of said county, and to levy an additional tax to pay the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of county commissioners of Ross county, Ohio, be and they are hereby empowered and required to issue the bonds of said county to the amount of twenty-five thousand dollars and no more, to pay existing orders or warrants issued heretofore by the county auditor of said county against the general county fund of said county and unpaid for want of funds in said general county fund, which said bonds shall be made payable five thousand dollars each and every year from their date of issue until all are paid. Said bonds shall be issued in denominations of five hundred dollars each, and shall bear interest at the rate of six per cent. per annum, payable semi-annually, and shall be sold after being advertised for four successive weeks in the two newspapers of opposite politics in said county which have the largest bona fide circulation therein, for not less than their par value. The said advertisement for such bids shall be prepared and inserted in said newspapers by the said county auditor, and the bids for said bonds shall be filed with the county auditor on or before the date therein named, and such advertisement shall be commenced within twenty days from the passage of this act, and in case that said bonds are for any reason not sold on the date named in such first advertisement a new advertisement shall be made in the same manner within ten days thereafter, and the same proceedings shall be had until said bonds are sold. Said bonds shall be sold to the highest and best bidder therefor.

SECTION 2. The said board of county commissioners are hereby authorized and empowered to levy a tax in addition to that authorized by law on all the taxable property of said county of one-half mill on the dollar to pay the said bonds and the interest thereon as they mature, and also to pay any indebtedness that may arise against said general fund and to meet the increased necessary expenditures for general county purposes.

SECTION 3. That the act entitled "An act to authorize the commissioners of Ross county, Ohio, to issue bonds and levy additional taxes to pay the same," passed April 3, 1888, and the second section of the act entitled "An act to authorize the county commissioners of Ross county to increase the tax levy of the general fund and to issue bonds and notes if necessary," passed April 18, 1890, be and the same are hereby repealed.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 28, 1892.
170L

[House Bill No. 654.]

AN ACT

To authorize the trustees of Union township, Hancock county, Ohio, to levy a tax to construct, gravel or macadamize roads, pikes and highways in said township.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the township trustees of Union township, in Hancock county, in the state aforesaid, be and they are hereby authorized and empowered to assess and levy upon all the taxable property of said township, for five successive years, a tax not exceeding three mills upon the dollar of the valuation of all said taxable property in any one year, in addition to the amount of taxes which now is or hereafter may be authorized by law, for the purpose of constructing, graveling, macadamizing and piking roads and highways in said township, and for no other purpose whatever.

SECTION 2. The question of levying said tax and of constructing pikes and highways shall be submitted to a vote of the qualified electors of said township at the regular spring election on the first Monday of April, 1892; the tickets voted at said election shall have written or printed thereon the words, "Taxation for road improvements—Yes;" or, "Taxation for road improvements—No;" and a majority of votes in favor of such taxation shall authorize the levying of said tax and constructing, graveling, macadamizing and piking of said roads and highways.

SECTION 3. Said tax hereby authorized shall be placed upon the grand duplicate of the county auditor of Hancock county aforesaid, and shall be collected as other taxes upon said tax duplicate are collected, and shall be paid in money, and shall be a township road fund in said township, under the direction, control and application of the trustees of said township, and shall be by them applied toward constructing gravel, macadamized or piked roads and highways in said township, or both gravel and macadamized roads or pikes and highways, as may be adjudged best

by said trustees; provided, that no assessment or levy for said purpose shall be made under the provisions of this act after the year eighteen hundred and ninety-seven, and the first assessment or levy for said purposes may be made under the provisions of this act in the year eighteen hundred and ninety-two (1892).

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 28, 1892.
171L

[House Bill No. 709.]

AN ACT

To divide Jackson township, Stark county, Ohio, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the township of Jackson, in the county of Stark, be and the same is hereby divided into two election precincts for all the purposes authorized by law, as follows: That sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 22, 23, 24, 25, 26, 27, 34, 35, and 36, shall be known as the McDonaldsville precinct of said township, with place of holding election at McDonaldsville, in said township; and that sections 18, 19, 20, 21, 28, 29, 30, 31, 32, and 33, shall be known as the Millport precinct, of said township, with place of holding election at Millport, in said township.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 28, 1892.
172L

[House Bill No. 621.]

AN ACT

To authorize the council of the incorporated village of Neville, in the county of Clermont, to issue bonds for street improvements.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Neville, Clermont county, be and it is hereby authorized to issue the bonds of said village, in the sum of one thousand dollars ($1,000) in such denominations as the council may determine, and bearing interest at a rate not to exceed eight per cent. per annum from the date of issue; the proceeds of such bonds to be used for the purpose of macadamizing and improving Main and Walnut streets in said village.

SECTION 2. Said bonds shall be signed by the mayor of said village and countersigned by the clerk of said village, and shall not be sold for less than their par value. The principal shall be payable within five years from the date of said bonds as the council may determine, and the council of said village is hereby authorized to levy a tax in addition to that now authorized by law, upon all the taxable property of said village, to pay said bonds and interest as they become due.

SECTION 3. Said bonds shall not be issued, nor a tax issued [levied] for the same until the question shall have first been submitted to the voters of said village of Neville at a general or special election, of which at least five days' notice shall be given by publication by printed or written notices of such election being posted in at least five (5) conspicuous places in said village; at said election all tickets used in voting upon the question of issuing bonds shall have printed or written upon them the words "Authority to issue bonds—Yes;" or "Authority to issue bonds—No;" no bonds shall be issued under this act unless a majority of such vote shall be in favor of the issue of such bonds.

SECTION 4. This act shall take effect on its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 29, 1892.
173L

[House Bill No. 677.]

AN ACT

To authorize the council of the incorporated village of Milford, in the counties of Clermont and Hamilton, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Milford, in Clermont and Hamilton counties, Ohio, be and the same is hereby authorized and empowered to transfer three hundred ($300) dollars from the village police fund to the street fund of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 29, 1892.
174L

[House Bill No. 690.]

AN ACT

To authorize the trustees of Bartlow township, Henry county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Bartlow township, Henry county, Ohio, be and they are hereby authorized to transfer the sum of five hundred ($500) dollars from the road fund, four hundred ($400) dollars from the bridge fund and one hundred and four ($104) dollars from the township indebtedness fund to the general township fund of said township.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 29, 1892.
175L

[House Bill No. 691.]

AN ACT

To authorize the incorporated village of Napoleon, Henry county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Napoleon, Henry county, Ohio, be and is hereby authorized to transfer the sum of fifteen hundred ($1,500.00) dollars from the marshal fund to the corporation fund of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 29, 1892.
176L

[House Bill No. 693.]

AN ACT

To authorize the commissioners of Jackson county, Ohio, to levy an additional tax for county purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Jackson county, Ohio, be and they are hereby authorized to levy annually, not to exceed two and five-tenth mills upon each dollar of the taxable property of said county for county purposes, other than for road, bridge, county buildings, sites therefor, and the pur-

chase of land for infirmary purposes, in addition to the levy for said county purposes now authorized by law, the same to be entered on the duplicate of said county and collected the same as other taxes.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 29, 1892.
177L

[House Bill No. 700.]

AN ACT

To authorize the trustees of Amherst township, Lorain county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Amherst township, Lorain county, Ohio, be, and they are hereby authorized to transfer from the town hall fund of said township the sum of five hundred dollars, as follows: To the road fund four hundred and twenty-five dollars; sparrow fund fifty dollars; and ground hog fund twenty-five dollars.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 29, 1892.
178L

[House Bill No. 813.]

AN ACT

To authorize the trustees of Mentor township, Lake county, Ohio, to issue bonds to provide for a deficiency in the funds of said township.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Mentor township, Lake county, Ohio, are hereby authorized for the purpose of meeting and providing for a deficiency in the funds of said township, to issue the bonds of said Mentor township, in a sum not to exceed fifteen hundred dollars ($1,500); said bonds shall bear interest not to exceed six per cent. per annum, interest to be paid semi-annually, and shall be of such denominations and shall become due at such times not exceed[ing] five years from date as the trustees of said township may determine. The proceeds arising from the sale of said bonds shall be apportioned among the several funds of said township, as may be determined by the trustees.

SECTION 2. The trustees of said Mentor township are hereby authorized to levy a tax annually in addition to the taxes now authorized by

law, on all the taxable property of said township sufficient to pay the principal and interest on said bonds, as the same become due.

SECTION 3 Nothing contained in this act shall be so construed as to release in any manner the treasurer of said township or his sureties from any liability on his official bond.

SECTION 4. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,
Speaker pro tem. of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 29, 1892.
179L

[Senate Bill No. 187.]

AN ACT

To authorize the commissioners of Morgan county, Ohio, to build a bridge across the Muskingum river.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Morgan county, Ohio, be and are hereby authorized, when in their judgment the public interest will be subserved thereby, to build a bridge across the Muskingum river at Eagleport, Bloom township, Ohio, at a cost not to exceed twenty-five thousand dollars ($25,000); all contracts for erecting the same shall be let according to law; provided, however, before the commissioners shall build said bridge they must obtain the consent of the proper United States authorities to erect the same across said river.

SECTION 2. For the purpose of paying for the construction of said bridge, the commissioners are hereby authorized to issue bonds of the county at a rate of interest not exceeding six per cent. per annum, interest payable annually; said bonds shall be issued in such sums as the commissioners may determine, but shall not be sold for less than their par value; said bonds to be paid within ten years of the date thereof, at the discretion of the commissioners, and the same shall be issued, signed and sold according to law.

SECTION 3. For the purpose of paying the bonds and the interest thereon as the same become due and payable, the commissioners are hereby required to levy, annually, on all taxable property within the county, a sum sufficient to pay the same, in addition to all other taxes authorized by law.

SECTION 4. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,
Speaker pro tem. of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 29, 1892.
180L

[House Bill No. 96.]

AN ACT

To authorize the county commissioners of Hamilton county, Ohio, to purchase all or any part of the Cincinnati, Montgomery, Hopkinsville, Sharpsburg, Rochester and Clarksville turnpike, known as the Cincinnati and Montgomery turnpike, situate, lying and being in said county of Hamilton, and to maintain the same as a free turnpike.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of county commissioners of the county of Hamilton, be and it is hereby authorized to purchase for said county all that part of the Cincinnati, Montgomery, Hopkinsville, Sharpsburg, Rochester and Clarksville turnpike, known as the Cincinnati and Montgomery turnpike, situate, lying and being in the county of Hamilton, and thereafter to be a free turnpike and kept in repair as other free turnpikes in said county. When purchased, and before any payment is made therefor, the owner or owners to execute to the county of Hamilton a good and sufficient deed of conveyance and to the satisfaction of said board of county commissioners.

SECTION 2. That in case said board of county commissioners and the owners of said Cincinnati, Montgomery, Hopkinsville, Sharpsburg, Rochester and Clarksville turnpike, known as the Cincinnati and Montgomery turnpike, can not agree upon a purchase price, said board and owners may cause an appraisement thereof to be made by three disinterested freeholders of said county, one to be selected by said board, one by said owners, and the third appraiser to be chosen by the two appraisers selected as aforesaid.

SECTION 3. That the appraisers selected and chosen under the provisions of this act shall, under oath upon actual view, appraise that portion of the Cincinnati, Montgomery, Hopkinsville, Sharpsburg, Rochester and Clarksville turnpike, known as the Cincinnati and Montgomery turnpike, which the said county commissioners may determine to purchase, located in said county at its true value, and make return in writing of their appraisement within ten days after their qualification. If the owner or owners refuse to sell at the appraised value, or if the said board refuse to complete the purchase at the appraised value, the said county commissioners shall, within twenty days thereafter, proceed in their name to ascertain and adjust the compensation for said turnpike, or any part thereof, under and in accordance with the law providing for the appropriation of private property for street purposes by corporations. And when the value of said property has been fixed by the jury, the said board of county commissioners shall take the same and proceed forthwith to issue the bonds hereinafter provided for, and with the fund thus realized, pay the amount of said compensation assessed by the jury, and the costs.

SECTION 4. That for the purpose of providing funds to pay the purchase price or compensation for said Cincinnati, Montgomery, Hopkinsville, Sharpsburg, Rochester and Clarksville turnpike, known as the Cincinnati and Montgomery turnpike, said board of county commissioners is hereby authorized to issue the bonds of said county in such amounts and payable at such times not exceeding twenty years from the date of the same, as to said board may seem proper, bearing a rate of interest not exceeding four per cent. per annum, payable semi-annually. Said county bonds shall not be sold or otherwise disposed of at less than their par value. The bonds to be issued not to exceed five hundred dollars nor less than fifty dollars in denomination.

SECTION 5. The said county commissioners are hereby authorized to levy annually, in addition to their other powers of taxation, upon all the taxable property in said county, a sum sufficient not exceeding one seventy-fifth of a mill annually to pay the interest on said bonds, and to create a sinking fund for the final redemption thereof.

SECTION 6. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,
Speaker pro tem. of the House of Representatives
ANDREW L. HARRIS,
President of the Senate.

Passed March 29, 1892.
181L

[House Bill No. 350.]

AN ACT

To authorize the commissioners of Brown county, Ohio, to construct a free turnpike from the Clermont county line to the Higginsport and Feesburg turnpike.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Brown county, Ohio, be and they are hereby authorized to build and construct a good and sufficient free turnpike, beginning at the Clermont county line near the residence of Samuel Tatman, deceased, and following the old road to the corners of said Samuel Tatman and John G. Conley's land in Daniel F. Trout's line, thence the most practical route to or near to the east corner of Mount Zion cemetery, thence with the old road past the residences of D. T. Bolender and D. F. Trout to the Cedron and Simms run road, thence with the Felicity and Feesburg road to the Augusta and Bethel road, thence the most practical route to the Higginsport and Feesburg free turnpike road.

SECTION 2. That said commissioners shall, before proceeding to construct said road, or any part of the same, require and secure from those interested in said improvement, a subscription or donation equal in amount to twenty per centum of the entire cost of said improvement, to aid in the construction of the same.

SECTION 3. For the purpose of paying eighty per centum of the cost of constructing said road, the commissioners are hereby authorized to issue the bonds of the county bearing not to exceed six per cent. interest, and said bonds shall be payable at such times as the commissioners may determine, not exceeding five years from the date thereof, and said bonds shall not be sold for less than their par value.

SECTION 4. Those interested in said improvement shall furnish the right of way for said road free from cost to the county at large.

SECTION 5. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,
Speaker pro tem. of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 29, 1892.
182L

[House Bill No. 661.]

AN ACT

To authorize the village school district of Harveysburg, Warren county, Ohio, to issue and sell bonds to pay off its present indebtedness.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of the Harveysburg village school district, in Warren county, Ohio, be and it is hereby authorized to issue the bonds of said school district in any sum not exceeding fifteen hundred dollars, in denominations not exceeding five hundred dollars, as the board of education of said district may determine, bearing interest at a rate not exceeding five per cent. per annum, payable semi-annually, for the purpose of paying the indebtedness now existing against said school district.

SECTION 2. Said bonds shall be signed by the president of said board of education of said district, and countersigned by the clerk of said board, and shall not sell for less than their par value and accrued interest. Said bonds shall be paid in installments of five hundred dollars each; the first installment on the first day of January, 1897; the second on the first day of July, 1897; the third on the first day of January, 1898; and said board of education is hereby authorized to certify and levy a tax on the taxable property of said district, in addition to that now authorized by law, sufficient to pay said bonds and the interest thereon, as the same becomes due.

SECTION 3 The funds realized from the sale of said bonds shall be used for the payment of the debts now existing against said school district.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 29, 1892.
183L

[House Bill No. 238.]

AN ACT

To authorize the council of the incorporated village of Linwood to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Linwood, Hamilton county, be and is hereby authorized to transfer the sum of six hundred dollars ($600.00) from the police fund to the fire fund of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 30, 1892.
184L

[House Bill No. 261.]

AN ACT

To authorize the commissioners of Clermont county, Ohio, to construct a free turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Clermont county be and they are hereby authorized to build and construct a good and sufficient free turnpike to be located on the road beginning at the Milford corporation line and passing through the lands of W. W. Sutton, Philip Gatch, John Leonard to the residence of Dr. H. P. Brown, thence through the lands and passing the residences of G. W. Smisor, William P. Price and crossing the creek known as Harner's run; thence through the lands or on the line of the farms of James Johnson, Joseph Oskamp, D. K. Harvey and Peter Ereland and terminating at the pike known as the Miamiville and Comargo pike. Said road to be not less than thirty nor more than sixty feet in width, to be determined by the commissioners.

SECTION 2. That said commissioners shall, before proceeding to construct said road or any part thereof, require and secure from those interested in said road improvement a subscription or donation equal in amount to twenty per cent. of the cost of said improvement to aid in the construction of the same.

SECTION 3. That for the purpose of paying the 80% of said improvement the county commissioners are hereby authorized to levy and assess a tax not exceeding three-tenths of one mill on the dollar on any and all property on the tax duplicate of said county.

SECTION 4. That a majority of said board of county commissioners shall at a regular session be necessary to agree upon plans and specifications and order said improvement or any part thereof.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 30, 1892.
185L

[House Bill No. 368.]

AN ACT

For the relief of Edward F. Roemer, treasurer of Clarington village school district, Monroe county, Ohio.

WHEREAS, On the 29th day of October, 1891, Edward F. Roemer, as treasurer of Clarington village school district, in Monroe county, Ohio, had in his possession, as such treasurer, the sum of one thousand and eighty dollars of the school funds of said district; and

WHEREAS, On said 29th day of October, 1891, the dwelling-house occupied by said Edward F. Roemer, in the town of Clarington, and in which he kept said money, was, without fault or negligence on the part of said Edward F. Roemer, entirely consumed by fire and all of said school funds burned up; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of Clarington village school district in Monroe county, Ohio, are hereby authorized to release Edward F. Roemer and his official sureties on their official bond as treasurer of said school district, from payment of any part of said sum of one thousand and eighty dollars ($1,080.00), belonging to the school funds of said district; provided, however, that before said release shall be granted by said board, it shall submit the question of such release to the qualified electors of said district at some general or special election, after giving at least ten days' notice thereof; and provided, further, that said release shall not be granted by said board unless a majority of all the qualified electors of said district, voting at said election, shall vote in favor thereof.

SECTION 2. At said election all those desiring to vote in favor of such release shall have written or printed on their ballots: "For release —Yes;" and all voters desiring to vote against such release shall have written or printed on their ballots: "For release—No."

SECTION 3. Said board of education shall provide a separate ballot-box for said election and certify the result thereof, together with copy of poll-book and tally-sheet, to the auditor of said county within five days after such election.

SECTION 4. That for the purpose of raising the money to cover the deficiency in the school funds of said district, caused by said fire, the board of education of said district are hereby authorized to levy a special tax on all the taxable property of said district sufficient to pay the same, not exceeding five mills on the dollar, in addition to the levy now authorized by law; and to certify the levy so made to the county auditor to be placed on the duplicate and collected as other taxes.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 30, 1892.
186L

[House Bill No. 420.]

AN ACT

To authorize the commissioners of Brown county to construct a free turnpike.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Brown county, Ohio, be and they are hereby authorized and empowered to build and construct a free turnpike in said county, by straightening, grading, graveling and macadamizing the same, on and over the following route, or as near thereto as practicable, to-wit: Beginning at the end of the turnpike near the residence of Stephen O'Conner, in Perry township; thence in a northerly direction over the road known as the Fayetteville and Blanchester road to the line between Brown county and Clinton county.

SECTION 2. Upon the presentation of a petition signed by not less than ten freeholders, who reside within the bounds of said road as hereinafter fixed, said commissioners shall appoint three good and judi-

cious freeholders of said county, who, being duly sworn to faithfully perform the duties therein prescribed, shall together with the county surveyor, proceed to locate, lay out and establish said road upon the route hereinbefore designated, or as near thereto as a good road can be made. And they shall make and return to said county commissioners an accurate map and profile of said road, as established by them, and they shall also fix and determine the bounds of said road by including therein all lands and lots in said county lying within one mile of each side, and the ends of said road, as located and established by them, and shall return to said county commissioners a true and accurate map and description of the bounds of said road, as established by them, and the lands and lots included therein.

SECTION 3. Upon the petition of a majority of all taxpayers within the bounds of said road, fixed and determined as provided by the preceding section, said county commissioners may proceed to construct said free turnpike in manner as provided by section 4759 of the Revised Statutes of Ohio.

SECTION 4. After the cost of said improvement is ascertained, said county commissioners may levy a tax on all the taxable property within the bounds of said road, fixed, determined, and established as herein provided, sufficient to pay twenty per centum of the cost of said improvement, and may levy a tax on all the taxable property of said county sufficient to pay the remaining eighty per centum of the cost thereof. And the territory included within the bounds of said road, as defined hereinbefore, is hereby created a special tax district for the purposes of taxation, as herein provided.

SECTION 5. Said county commissioners may in anticipation of the collection of said tax, issue the bonds of said county, bearing interest at a rate not exceeding six per centum per annum, payable semi-annually, which bonds shall not be sold at less than their par value, and the time of payment shall not extend beyond five years.

SECTION 6. The duties of the county commissioners, auditor, treasurer and county surveyor, in connection with said road, shall be the same as are required by the provisions of chapter 6, title 7, of the Revised Statutes of Ohio, and all other laws of said state, not in conflict with the act.

SECTION 7. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 30, 1892.
187L

[House Bill No. 664.]

AN ACT

To authorize the trustees of Athens township, Athens county, state of Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Athens township, Athens county, and the state of Ohio,

be and the same are hereby authorized to transfer a sum not exceeding five hundred dollars ($500.00) from the general fund to the road fund, for the purpose of improving the highways of said township.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 30, 1892.
188L

[House Bill No. 676.]

AN ACT

To authorize the board of education of New Richmond special school district, in Clermont county, Ohio, to issue bonds for school purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of New Richmond special school district, in Clermont county, Ohio, be and it is hereby authorized to issue the bonds of said school district to the amount of fifteen hundred ($1,500.00) dollars, in sums of such denominations as the board may determine, each bearing interest at a rate not to exceed six per cent. per annum. Said bonds to be paid within three years and shall be signed by the president and attested by the clerk of said board. The money so raised by sale of said bonds to be applied to the purchase of property for school purposes and repairs on old buildings. Said bonds shall not be sold for less than their par value.

SECTION 2. Said board shall annually thereafter cause the necessary taxes to be levied, to pay the interest on said bonds and to pay the principal thereof as the same shall become due, in the manner provided by law for levying and collecting taxes.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 30, 1892.
189L

[House Bill No. 694.]

AN ACT

To change the name of David Fleming Ashmead, of Jefferson county, Ohio, to David Fleming.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the name of David Fleming Ashmead, a resident of Jefferson county, Ohio, be and the same is hereby changed to David Fleming.

SECTION 2. That said change shall in no way affect the rights, privileges and liability of said person.

SECTION 3. This act shall be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 30, 1892.
190L

[House Bill No. 706.]

AN ACT

To authorize the council of the village of Latty, Ohio, to issue bonds and levy a tax for the purpose of paying off the indebtedness heretofore incurred by said village, for street improvements therein.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of Latty, in the county of Paulding, Ohio, be and the same is hereby authorized to issue the bonds of the said village, not exceeding seven hundred dollars, for the purpose of raising money to pay off the indebtedness of said village incurred by the improvement of its streets, and the interest on such indebtedness.

SECTION 2. Said bonds shall be of such denomination, payable at such times and bear interest at such rate per cent. not exceeding six per cent., payable semi-annually, as the council of said village may direct, but said bonds shall not be sold for less than their par value. Such bonds shall have attached thereto interest coupons, and the bonds and coupons shall be signed by the mayor and clerk of said village and sealed with their respective seals; provided, however, that the question of issuing and selling said bonds shall be submitted to the qualified electors of said village at some special or general election, notice of which shall be given for not less than ten days prior to said election by posting written or printed notices of said election in not less than five public places in said village. At the said election the voters shall have written or printed on their ballots "For sale of bonds—Yes;" or "For sale of bonds—No." If a majority of the votes cast on the question be in favor of the issuing of bonds then and only then shall the council of the said village be authorized to issue and sell said bonds or levy said tax as provided for above.

SECTION 3. For the purpose of paying said bonds and the interest thereon as the same may become due, the said council is hereby authorized to levy a tax on all the taxable property of said village, in addition to that otherwise authorized by law, to such amount each year as shall be necessary to the payment of said bonds.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 30, 1892.
191L

[House Bill No. 711.]

AN ACT

To authorize the council of the city of Warren, Ohio, to transfer moneys from the debt fund and lighting fund to the fire and water fund.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the city of Warren, Ohio, be and the same is hereby authorized to transfer one thousand dollars from the lighting fund to the fire and water fund, and the same amount from the debt fund to the fire and water fund.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 30, 1892.
192L

[House Bill No. 733.]

AN ACT

To establish a normal or graded school district of the territory embraced within the village of Hicksville and Hicksville township, Defiance county, Ohio, and to provide for the election of a board of education for such district and the issuance of bonds of said district to raise the money to purchase grounds, erect suitable buildings for normal school purposes, and furnish and maintain the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That a normal or graded school district composed of the territory within the incorporated village of Hicksville and the township of Hicksville, Defiance county, Ohio, be and the same is hereby established, said normal or graded school district to be known as the Hicksville normal school district, and to include all the territory within said village and township and to which all the pupils of said town and township between the ages of ten and twenty-one years shall be eligible, who have attained the grade of qualification prescribed by the board of education hereinafter provided for.

SECTION 2. That for the purpose of managing the business of said normal school district, there shall be elected by the electors of said district, a board of education composed of six members, three of whom shall be residents of the village of Hicksville and three of whom shall be residents of Hicksville township without the limits of said village. Said board so to be elected shall be chosen two for one year, two for two years and two for three years, and annually thereafter there shall be elected by the voters of said district, two members, one for each section thereof, who shall serve for three years and until their successors are elected and qualified. Said board so elected shall have all the powers now or that may hereafter be conferred by law on boards of special school districts, and in addition thereto the power to provide for the admission of non-resident pupils on such rates of tuition as to them may seem just, and said board shall be governed by the law now regulating and governing boards of special school districts. and in case of vacancies occurring in their number said vacancy shall be filled as prescribed by said law.

SECTION 3. For the purpose of providing suitable grounds and buildings and furniture for said normal school district and maintaining the same, said board of education are authorized to issue negotiable bonds of said district with interest coupons attached and signed by the president of said board and countersigned by the clerk in any sum not exceeding twenty-five thousand dollars, and to bear interest payable semi-annually at not more than six per cent. per annum, to be payable at such place and times as said board may determine, and said bonds shall not be sold for less than their par or face value with accrued interest. The clerk of said board shall keep a record of the bonds so issued and sold and to whom sold, when paid, and enter therein the dates and cancellations with the amount of all moneys paid thereon.

SECTION 4. Provided that no bonds shall be issued or board of education elected, as in this act hereinbefore provided, until the question shall have been submitted to the voters of said district at a general or special election to be held within said district, of which ten days' notice shall be given the voters of said district by posting notices thereof in ten or more conspicuous places within the district and by publication for two consecutive weeks in the newspapers published in said district, giving notice of the time and place where said election will be held, and the electors voting at said election favoring said normal school district shall have written or printed on their ballots "Normal school issue of bonds—Yes," and those opposed thereto shall have written or printed on their ballots "Normal school issue of bonds—No." The board of election holding or presiding over said election shall be chosen by the electors in the manner provided by law for selecting boards of election to determine the question of adopting special school districts. If a majority of voters voting on said proposition favor said normal school district and the issue of bonds, the electors shall within twenty days thereafter, and after having given five days' notice of the time and place by posting notices in ten or more of the most public places within said district, elect a board of education as hereinbefore provided for. The electors assembling at said time and place shall from the bystanders select two judges and one clerk who shall act as a board of election and shall make a record and certificate of the results of said election, and shall issue to the electors chosen as members of said board a certificate of their election.

SECTION 5. For the purpose of providing for the payment of said bonds and the interest thereon, as they shall become due and payable, said board of education is authorized to levy annually a tax of not exceeding four mills on the dollar of the taxable property of said district, to constitute a fund out of which said bonds shall be paid on or before maturity. And provided that the right to make levies by said board shall be limited to the payment of said bonds and for no other or further purpose shall levies of taxes be made.

SECTION 6. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 30, 1892.
193L

[House Bill No. 747.]

AN ACT

To authorize the council of the incorporated village of Liberty Center, Henry county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Liberty Center, Henry county, Ohio, be and they are hereby authorized to transfer the sum of one hundred ($100) dollars from the police fund to the fire fund of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 30, 1892.
194L

[House Bill No. 749.]

AN ACT

To authorize the trustees of Jackson township, Jackson county, to levy an additional tax for township purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Jackson township, Jackson county, Ohio, be and are hereby authorized to levy a tax not to exceed one mill, annually, upon each dollar of taxable property of said township, for township purposes, in addition to the levy for said township purposes now authorized by law, the same to be entered on the duplicate of said township and collected the same as other taxes.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 30, 1892.
195L

[House Bill No. 793.]

AN ACT

To authorize the council of the village of Painesville, Lake county, Ohio, to provide for a deficiency in the funds of said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of Painesville, Lake county, Ohio, for the purpose of meeting and providing for a deficiency in the funds of said village, be and it is hereby authorized to issue the bonds of said village,

not to exceed in amount the sum of ($14,000) fourteen thousand dollars; said bonds shall bear interest not to exceed six per cent. per annum, payable semi-annually, and shall be of such denomination, and shall become due at such times, not exceeding ten years from date, as the said council may determine, and shall not be sold for less than their par value, and as provided by law. The proceeds arising from the sale of said bonds shall be apportioned among the several funds of said village, as may be determined by the council.

SECTION 2. The council of said village of Painesville is hereby authorized to levy a tax, annually, in addition to the taxes now authorized by law, on all the taxable property of said village, sufficient to pay the principal and interest on said bonds, as the same becomes due.

SECTION 3 Nothing contained in this act shall be so construed as to release in any manner the treasurer of said village of Painesville or his sureties from any liability on his official bond.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 30, 1892.
196L

[House Bill No. 803.]

AN ACT

To divide Monroe township, Preble county, Ohio, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That Monroe township, Preble county, Ohio, be and the same is hereby divided into two election precincts, as follows: Commencing in the center of the Monroe central free pike at a point where said pike intersects the south boundary line of said township, thence north in the center of said pike through said township to a point where said pike intersects the north boundary line of said township. That part of said township lying east of said dividing line shall be the east precinct, with its voting place at the village of West Manchester; that part of said township lying west of said dividing line shall be the west precinct, with its voting place at the village of El Dorado.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 30, 1892.
197L

[House Bill No. 498.]

AN ACT

To authorize the commissioners of Clermont county, Ohio, to construct a certain free turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Clermont county, be and they are hereby authorized to build and construct a free turnpike road in said county, from Mount Pisgah to the Pond run free pike, beginning at the turnpike road leading from Hamlet to New Richmond, from thence with the county road, as near as practicable, to the lands of William Houser, thence, by the most direct and practicable route via the lands of J. B. Gillaspie, B. F. Lindsey, Jennette Mott, C. Archer, and others to the Pond run road, near the lands of Bleher.

SECTION 2 That said commissioners shall, before proceeding to construct said road or any part of same, require and secure from those interested in said pike, a subscription or donation, equal in amount to 20 per centum of the cost of said improvement, to aid in the construction of the same.

SECTION 3. That for the purpose of paying for said improvement, the county commissioners are hereby authorized to levy and assess a tax not exceeding three-tenths of one mill on the dollar, on any and all property upon the tax duplicate in said county.

SECTION 4 That a majority of said board of commissioners shall at a regular session be necessary to agree upon specifications and order said improvement or any part thereof to be made.

SECTION 5. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,
Speaker pro tem. of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 31, 1892.
198L

[House Bill No. 703.]

AN ACT

To amend section 2 of an act entitled "An act to authorize the improvement of the River road in Providence township, Lucas county, Ohio," passed April 24, 1891 (vol. 88, O L., p. 853).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 2 of the above entitled act be so amended as to read as follows:

Sec. 2. The county commissioners shall pay for one-half of the cost of such improvement, and the remaining one-half shall be paid for as follows, to-wit: One-fourth of said cost shall be assessed upon the lots and lands abutting upon the portions of said road so improved, and within two miles thereof, in proportion to the benefits to be derived therefrom by said lots and lands; and the remaining one fourth of said cost shall be

paid by the township trustees of Providence township, Lucas county, Ohio.

SECTION 2. That said original section 2 is hereby repealed; and this act shall take effect on its passage

ELVERTON J. CLAPP,
Speaker pro tem. of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 31, 1892.
199L

[House Bill No. 704]

AN ACT

To authorize the council of the village of Caledonia, Marion county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of Caledonia, Marion county, Ohio, be and are hereby authorized to transfer from the special street improvement fund to the street improvement fund of said village the sum of two hundred and thirty-one dollars and thirty-eight cents ($231.38).

SECTION 2. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,
Speaker pro tem. of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 31, 1892.
200L

[House Bill No. 710.]

AN ACT

To authorize the council of the village of Canal Fulton to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Canal Fulton, Stark county, be and is hereby authorized to transfer two hundred ($200.00) dollars from the corporation fund to the street fund, and two hundred ($200 00) dollars from the marshal's fund to the street fund.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,
Speaker pro tem. of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 31, 1892.
201L

[House Bill No. 715.]

AN ACT

Authorizing the board of education of Marshallville school district, Wayne county, Ohio, to issue bonds for school building and purchase of grounds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of the Marshallville school district, in Wayne county, Ohio, is hereby authorized to purchase grounds, erect a school building thereon, and furnish the same, at a cost not to exceed eight thousand dollars ($8,000) and to issue the bonds of said school district for not more than eight thousand dollars ($8,000) in such denominations as said board may by resolution determine, to run from one to not exceeding eight years, payable in such installments annually, as they may deem best, bearing interest not exceeding six per cent., payable semi-annually, which bonds shall not be sold at less than par; said bonds shall be signed by the president of said board of education and attested by the clerk thereof. Said board of education shall levy annually, upon all the taxable property in said school district a tax sufficient to pay the accruing interest, and provide a sinking fund for the redemption of said bonds as they become due. Said levy, if necessary, may be in addition to the limitation now imposed by law; and provided, that no bonds shall be issued by said board until after the question of building said school-house shall be submitted to the electors of said district, at a special or general election therein to be held for that purpose, of which not less than ten days' notice shall be given by notices posted in not less than five public places therein, and further provided, that a majority of said electors voting at said election, shall vote in favor of the building of said school-house. Said election shall be conducted in the manner and at the place of holding elections for members of said board of education.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,
Speaker pro tem. of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 31, 1892.
202L

[House Bill No. 720.]

AN ACT

To amend sections 1 and 4 of an act passed April 16, 1888, entitled "An act to amend sections 1 and 4 of an act passed March 28, 1862, entitled 'an act to authorize the city of Cleveland to fund certain railroad stocks,' as amended January 19, 1882" (85 O L p. 562).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 1 and 4 of an act passed April 16, 1888, and entitled "An act to amend sections 1 and 4 of an act passed March 28, 1862, entitled 'an act to authorize the city of Cleveland to fund certain railroad stocks,' as amended January 19, 1882," be amended so as to read as follows:

Sec. 1. That the city of Cleveland, for the purpose of creating a fund for the payment of existing indebtedness excepting such indebtedness as

has been created by the water-works department and for street improvements, is hereby authorized to create a sinking fund, and for this purpose, is hereby empowered to appropriate to such fund, all the railroad stocks, shares and bonds, or the proceeds thereof, and any assets growing out of same, now in the hands of the sinking fund commissioners, now held and owned by said city, and the interest and dividends hereafter to accrue on the same, which fund, thus formed, after defraying the necessary expenses of the trust thereby created, shall be set apart exclusively for the payment from time to time, and in such amounts as the council may by ordinance direct, for the payment of existing indebtedness of the city, excepting such indebtedness as has been incurred by the water-works department or for street improvements, and shall be used for no other purpose whatever; and said stocks, shares and bonds and the accruing interest and dividends on the same so forming said fund, shall be placed in the custody and under the control of five commissioners hereinafter named, and called "sinking fund commissioners," whose duty it shall be to take charge, custody and control of the same and manage the same [as] hereinafter provided.

Sec. 4. Said commissioners, by and with the consent of the council, shall have power and authority, at any time, to sell and dispose of all or any part of said stocks, shares and bonds for cash, and to invest the proceeds thereof in other stocks or in such manner as they shall consider to be for the interests of the city, and shall, from time to time, as the council may, by ordinance, direct, apply such fund and the proceeds thereof or such part thereof as may, from time to time, be so directed by the council to the payment of existing indebtedness, excepting such indebtedness as has been created by the water-works department or for street improvements.

SECTION 2. That said sections 1 and 4 of said act, as amended April 16, 1888, be, and the same are hereby repealed.

SECTION 3. That this act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,
Speaker pro tem. of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 31, 1892.
203L

[Senate Bill No. 201.]

AN ACT

To provide for the removal of bodies from an abandoned burial-ground in a public highway in Madison township, Pickaway county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Madison township, Pickaway county, Ohio, be and they are hereby authorized to order and provide for the removal of all bodies remaining or being buried within an abandoned-burial ground, situated in a public road in said township known as the "Dane road," and obstructing said public highway, said burial ground being a part of the Hoffhines burial-ground, abandoned as a burial-place for more than

twenty-five years; and also to provide for the removal of all monuments or stones marking the graves thereof, and for the reinterment of said bodies and the reerection of such monuments and stones in some suitable and public burial-ground in the township, and pay for the same out of the treasury of the township, and if there be no suitable and public burial ground in said township, then the said trustees are authorized to procure a lot or lots in Reber hill cemetery, in the adjoining township of Walnut, in said county, as a place for the reinterment of said bodies; provided, however, that notice shall first be given to the family, friends or kindred of the deceased, if known to such trustees, by personal service or by publication in some newspaper of general circulation in the county, of the order for the removal of said bodies, and of the time within which, not less than thirty days, such removals must be made, and that it is preferred that such removal be made by the friends or kindred of the deceased, and if at the expiration of such time the removals have not been made, said township trustees shall cause the removal of the bodies as aforesaid.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,
Speaker pro tem. of the House of Representatives.

ANDREW L. HARRIS,
President of the Senate.

Passed March 1, 1892.
204L

[Senate Bill No. 122.]

AN ACT

To authorize the commissioners of Franklin county to construct a bridge across Big Walnut creek, and to issue bonds therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of commissioners of Franklin county, Ohio, be and they hereby are authorized and empowered to construct a bridge across Big Walnut creek in Truro township, in said county, at a point known as the Myers ford, the same being about one and one-quarter miles south of the national road, together with the proper and necessary approaches thereto, at a cost not to exceed the sum of thirteen thousand dollars, and in the exercise of their powers and the performance of their duties in that behalf they shall be governed by the general statutes on that subject, except in so far as their powers and duties are prescribed by this act.

SECTION 2. For the purpose of raising money to defray the expenses of constructing such bridge, with the proper and necessary approaches thereto, said commissioners are hereby authorized and empowered to issue and sell bonds of said Franklin county, at not less than their par value, in sums not less than five hundred dollars each, bearing interest at a rate not [to] exceed six per centum per annum, and not to exceed in the aggregate the sum of thirteen thousand dollars; and said commissioners are further authorized and empowered to levy a tax on all the property on the tax duplicate of said county to pay said bonds as they mature, and the interest thereon, and at such rate and for such length of time as may be necessary for that purpose.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,
Speaker pro tem. of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 31, 1892.
.205L

[House Bill No. 226.]

AN ACT

To authorize the village council of Hillsboro, Highland county, Ohio, to issue bonds for the purpose of providing said village with a system of water-works.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the village council of the village of Hillsboro, in the county of Highland and state of Ohio, be and is hereby authorized and empowered to issue bonds of said village in any sum not to exceed seventy-five thousand ($75,000) dollars, and bearing interest at a rate not exceeding six per cent. per annum, payable semi-annually, and to be of such denominations as the council shall by ordinance determine, but not less than one hundred ($100) dollars each, and shall be made payable at such times and place as the council shall by ordinance prescribe; but not more than forty years from date, and which bonds shall not be sold for less than par value in cash. The proceeds of such bonds shall be used for the purpose of buying or leasing the necessary land and water-right and material, and constructing thereon and therewith a system of water-works for said village, and for no other purpose whatever; and such bonds shall be signed by the mayor of said village and attested by the clerk thereof, and seal of said village, and when sold the proceeds shall be paid to the treasurer of the village, who shall hold and disburse the same as other village funds are by him held and disbursed. But in no event shall any of the proceeds of such bonds be used for any other purpose excepting that provided by this act.

SECTION 2. If any bonds of said village be issued as hereinbefore provided, it shall be the duty of the council of said village, annually thereafter, until the said bonds and the interest thereon is fully paid, to assess and levy a tax on all the taxable property of the corporation sufficient to provide for the payment of said bonds as they fall due, with interest accruing thereon. All earnings of said water-works, after deducting current expenses, shall be paid into the sinking fund and used for the extinguishing of said indebtedness.

SECTION 3. Provided, that before said bonds are issued, the village council shall submit the proposition to the electors of said village, at a special election to be held for such purpose, at such time and place as the council shall determine by resolution, notice of which shall be given of the time and place of holding such election, and the amount of bonds to be issued, at least ten days prior to the time of holding such election, in a newspaper of general circulation in said village, and the form of the ballot shall be as follows: Those in favor of the construction of water-works and the issuing of said bonds shall have written or printed on their ballots, Water-works—Yes. Those opposed to the construction of water-

works and the issuing of said bonds shall have written or printed upon their ballots, Water-works—No. At such election the mayor and council, any three of whom shall be a quorum, shall serve as judges, and the clerk shall serve as clerk, who shall present the poll-books and returns of said election to the council at its next meeting thereafter, when the same shall be opened and canvassed, and the result declared and entered upon the minutes of said council; and if it shall appear that three-fifths of the ballots cast at such election were in favor of water-works and the issuing of such bonds, then the council shall proceed to issue such bonds, and not otherwise; provided, however, before issuing said bonds or contracting any liabilities whatever, the council shall fix, by ordinance, on what street said water-pipes shall be laid, giving dimensions and kind of pipe to be used, the number of fire-plugs and distance from each other, the height to which the water is to be raised, which shall be of sufficient height to conduct the water to any part of the village; the number of miles of pipe to be laid, and such other matters as may be necessary to have a complete and sufficient system of water-works. After the passage and publication of said ordinance, as prescribed by law, the council shall advertise for sealed proposals in accordance with the provisions of said ordinance, and which proposals may be for a part or the whole of the labor and material to be furnished, as the council in its discretion may deem best, and if it is ascertained upon the opening of said bids that said water-works can be built complete in every respect and that good and responsible parties will enter into contract, with good and sufficient bond that they will build said water-works, or such parts as may be let to them, for a sum not to exceed seventy-five thousand dollars for the whole, said council may accept such proposals as in their judgment is most reasonable, economical and satisfactory, and enter into contract for such purpose, and may issue the bonds as herein provided, and not otherwise. Said council may at the same time advertise for proposals for private companies, who may build and own water-works in accord with the provisions of said ordinance, to supply said village and the citizens thereof with water for all purposes, public and private, and if it is ascertained that it would be for the interest of said village to contract with any private company for any period not exceeding twenty years, for the supply of water as aforesaid, then said council shall have power to enter into a contract with such private company, and to issue such amount of bonds, and to levy such annual taxes as may be necessary to pay for such annual supply, not exceeding five thousand dollars per year; provided, that said council after the passage of said ordinance may, and it is hereby authorized to issue said bonds to an amount not exceeding $2,500.00, and expend the proceeds of the sale thereof in ascertaining and determining where a sufficient supply of water for such purpose can be obtained before buying or leasing any land or water-right, or making any contract for the construction of said water-works.

SECTION 4. This act shall be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.

ANDREW L. HARRIS,
President of the Senate.

Passed March 31, 1892.
206L

[Senate Bill No. 238.]

AN ACT

To authorize the board of education of Goshen township, Auglaize county, Ohio, to borrow money for the purpose of purchasing the necessary real estate and constructing and equipping a school-house in said township, and to issue its bonds therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of Goshen township, Auglaize county, Ohio, be and the same is hereby authorized and empowered to issue bonds not exceeding four thousand dollars ($4,000) in amount, for the purpose of purchasing a site and for the erection thereon of a township high school building. Said bonds to be issued at such times and in such sums and payable at such times, not exceeding eight years, as said board of education may, by resolution, determine; said bonds shall be signed by the president of said board of education and countersigned by the clerk thereof, and shall bear interest at a rate not exceeding six per cent. payable semi-annually. Said bonds when issued shall not be sold at less than their par value. The proceeds of said bonds shall be paid into the treasury of said school board, to be used as needed for the purchase of said school site and the erection of a school-house thereon, and the proper furnishing of the same. The clerk of the said board of education shall keep a record of the number, date, amount, rate of interest, the time when payable, the sum for which and the person to whom sold, which record shall be open to the public at all reasonable times.

SECTION 2. That to provide for the payment of said bonds and the interest thereon the board of education of said township of Goshen, Auglaize county, Ohio, is hereby authorized and required annually to levy a tax on all taxable property in said township, not exceeding three (3) mills per annum on the dollar valuation; which levy may, if in the opinion of said board it becomes necessary, be in addition to that now authorized by law to be levied by said board; the proceeds of said levy to be used in the payment of said bonds and the interest thereon as it may fall due.

SECTION 3. That the said school building when completed shall be managed and controlled by said board of education, and the tuition shall be free to all resident pupils of school age in said township.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 31, 1892.
207L

[House Bill No. 424.]

AN ACT

To authorize the council of the city of Cleveland, in Cuyahoga county, Ohio, to issue bonds for purchasing grounds and erecting a central police station.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the city of Cleveland, Cuyahoga county, Ohio, be

and the same is hereby authorized to issue and sell bonds of said city in a sum not exceeding one hundred thousand dollars ($100,000) for the purpose of purchasing suitable grounds in said city and erecting thereon a central police station.

SECTION 2. Said bonds shall be issued in amounts not less than one hundred dollars nor more than one thousand dollars each, and made payable at such times as said council may deem most advantageous, not exceeding ten years from the date of their issue, and said council is authorized to negotiate and sell said bonds at not less than their par value; but the interest on said bonds shall not exceed six per cent. per annum.

SECTION 3. For the purpose of paying the interest and principal of said bonds as the same shall become due, said council is hereby authorized and empowered, in addition to the other levies authorized by law, to levy a tax on the property subject to taxation in said city, sufficient in amount to pay said interest and principal; and such tax shall be levied and collected in the same manner as other taxes are levied and collected.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 31, 1892.
208L

[House Bill No. 507.]

AN ACT

To authorize the commissioners of Greene county, Ohio, to make a certain road improvement.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Greene county are hereby authorized and required to cause so much of the county road leading from the Hussey turnpike road to the Clinton county line, and the south line of Greene county, known as the Paintersville and Port William road, commencing at a point where the said road intersects the Hussey turnpike road, to the village of Paintersville, and so much of said Paintersville, and Port William road as lies between the village of Paintersville and the south line of Greene county, to be improved by grading, graveling, building bridges and culverts, as the county commissioners may determine. Povided the necessary proceedings have been instituted therefor as hereinafter provided. Seventy per centum of the cost and expenses of said improvement to be borne by the county, and thirty per centum to be levied or assessed upon the property and lands benefited by the said improvement, and collected as hereinafter directed.

SECTION 2. Whenever the requisite steps by petition shall have been taken for the authorization and establishment of a free turnpike road [out] on the line of the Paintersville and Port William road as provided for in section one of this act, which is hereby authorized in accordance with provisions of chapter seven, title seven, of the Revised Statutes of Ohio, entitled one-mile assessment pikes (except in this act otherwise provided), said county commissioners shall proceed to cause such free turnpike road

to be established and constructed in accordance with said provisions, except that seventy per centum of the cost and expenses thereof shall be paid by said county as herein provided, and thirty per centum of the cost and expenses thereof shall be levied upon the lands and taxable property within the bounds of said road to be improved, and all the provisions of said chapter shall be operative and in force, and shall be complied with so far as applicable to the said improvement, with the exceptions aforesaid.

SECTION 3. Whenever a petition shall be presented to said county commissioners praying for the improvement of the said Paintersville and Port William road, which is hereby authorized, and a bond filed as prescribed in section 4831 of the Revised Statutes of Ohio, said county commissioners shall proceed in accordance with chapter eight of the said title seven of said Revised Statutes, entitled two-mile assessment pikes, to cause the improvement prayed for to be made (except as herein otherwise provided), and all and singular of the provisions of said chapter eight shall be operative and in force, and shall be complied with as to such improvement, which shall be made in accordance therewith, except that seventy per centum of the cost and expenses thereof shall be borne by the said county, as herein provided, and thirty per centum thereof shall be assessed upon the lands and taxable property within the bounds of the said road, provided, that no land shall be subject to more than a single assessment in the aggregate for the said improvement.

SECTION 4. For the purpose of providing money to meet said seventy per centum of the cost and expenses of said improvement when ordered, said county commissioners are authorized, as the same is required, to issue the bonds of said county, of the denominations of one hundred dollars, or multiples thereof, bearing interest not exceeding the rate of six per cent. per annum, payable semi-annually at the treasury of said county, and sell the bonds to the best advantage, but not less than the par value, placing the proceeds in the county treasury. The said bonds shall have such time to run as that one-tenth of a mill to the dollar levy yearly, on the grand duplicate of said county, shall raise a sufficient amount of money to pay off the same with the interest as it accrues, and said county commissioners shall annually levy a tax on all the taxable property of said county, of one-tenth of a mill to the dollar, or so much thereof as shall be required to redeem said bonds and pay interest thereon. The money realized from said bonds shall be paid out of the county treasury by order of the county commissioners on the warrant of the county auditor.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

PASSED March 31, 1892.
209L

[House Bill No. 641.]

AN ACT

To change the name of Edward Maikemmer.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the name of Edward Maikemmer, a resident of Sandusky county, Ohio, be and the same is hereby changed to that of Edward Giesinger.

SECTION 2. That said change shall in no way affect the rights, privileges and liabilities of said person.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives
ANDREW L. HARRIS,
President of the Senate.

Passed March 31, 1892.
210L

[House Bill No. 695.]

AN ACT

To amend an "Act to construct a system of free turnpikes in certain townships of Jefferson county, Ohio, and to provide for the payment thereof," passed February 28, 1890.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections 4, 7 and 9 of the act passed February 28, 1890, entitled "An act to construct a system of free turnpikes in certain townships of Jefferson county, Ohio, and to provide for the payment thereof," shall be so amended as to read as follows:

Sec. 4. For the purpose of raising the necessary money to construct said system of free turnpikes, said commissioners shall issue special turnpike bonds, pledging all the taxable property within the townships adopting this system, in any amount not to exceed four hundred and twenty-five thousand dollars, in denominations of five hundred dollars and one thousand dollars, which shall be issued and be payable as follows: One hundred and sixteen thousand six hundred and sixty-six dollars and sixty-six cents of said bonds shall be issued within two months after this system of free turnpikes, or any part thereof, may be adopted. Said bonds to run twenty years with the privilege of payment after fifteen years. And a like amount of bonds of the same denomination shall be issued in one year thereafter, payable in twenty years with the right to pay the same after eight years; and a like amount of bonds of the same denominations shall be issued the next year and be payable in such time or times as the commissioners may decide, not exceeding ten years; and the balance of said bonds may be issued by the county commissioners at such times as may be needed for the construction of said turnpike; said fourth series of bonds to run twenty years with the privilege of payment after ten years. Each series of said bonds shall be numbered, and sold and called in according to number. All of said bonds shall bear interest at the rate of five per cent. per annum, payable semi-annually, and shall be sold as the

money may be needed for such construction of turnpikes, but shall not be sold for less than their par value and accrued interest. Said bonds shall be signed by the president of the board of commissioners and countersigned by the county auditor, and be payable at the county treasurer's office; for the purpose of paying the principal and interest of said bonds, the county commissioners shall levy on all the taxable property within the townships adopting this system of free turnpikes, including the municipal corporations therein, a tax of two mills on the dollar valuation each year; and the county commissioners are authorized to increase said levy to an amount not to exceed three mills, until the principal and interest of said bonds are paid.

Sec. 7. The roads constructed under this act shall not be more than sixty nor less than forty feet in width, and at least twenty feet in width thereof shall be turnpiked with earth so as to drain freely to the sides with the necessary culverts and bridges; nine feet thereof in width shall be made of broken stone, of a depth of thirteen inches, seven inches of which shall be sledge-broken, and used for foundation, and six inches thereof shall be of broken limestone broken or crushed so as to pass through a three-inch ring, using the finest part thereof for the top dressing, and all to be well compacted together in such manner as to secure a firm, even and substantial road, but the width to be made of broken stone in the city of Steubenville and for one mile adjoining, an additional width not to exceed seven feet shall be added where, in the opinion of the county commissioners, the same is necessary. Provided, however, that any part of such system of roads within the city of Steubenville may be made of brick where the same will make equally as good and substantial a road on such location.

Sec. 9. The county commissioners shall not levy any tax, issue any bonds or appropriate any money for the construction of said turnpikes, without submitting to the qualified voters of the townships of Steubenville, Island Creek, Cross Creek, Salem, Wells, Knox and Smithfield, excepting therefrom York precinct of Smithfield township, the question as to the policy of constructing said roads by general tax on such townships; but said commissioners shall, and are hereby required at any regular or called session of said commissioners, upon the presentation of the petition of not less than ten freeholders of each of said townships, submit to the qualified voters of each of said townships, at any spring or fall election, the question of construction of said free turnpike roads by general taxation on all the taxable property of such townships, of which election at least fifteen days' notice shall be given by them in at least four newspapers of general circulation of [in] said county; those voting in favor of such turnpike and taxation shall have printed or written on their ballots the words, "For turnpikes—Yes;" and those voting against shall have printed or written on their ballots the words, "For turnpikes—No;" and if a majority voting on such proposition shall be in favor of such turnpike and taxation, said commissioners shall proceed according to this act, to construct said system of free turnpikes, and complete the same within five years thereafter; and if any of such townships shall not give a majority of such vote in favor of such turnpikes and taxation, such turnpikes shall not be constructed in such township so voting, and such township shall not be taxed therefor; and provided further, if each of the townships of Island Creek, Cross Creek and Steubenville shall not give a majority vote in favor of said turnpikes and taxation, then no part of this system of free turnpikes shall be built.

SECTION 2. Said original sections 4, 7 and 9 are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 31, 1892.
211L

[House Bill No. 728.]

AN ACT

To authorize the village of New Lisbon to borrow money and issue bonds for the same to pay for improving and paving Washington street, and to contract for such paving and improving.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the village of New Lisbon, Columbiana county, Ohio is hereby authorized to borrow a sum of money not to exceed $25,000.00 and issue the bonds of said village therefor, bearing interest at a rate not to exceed six per cent, redeemable $1,250 in one year, $1,250 in two years, $1,250 in three years, $1,250 in four years, $1,250 in five years, $1,250 in six years, $1,250 in seven years, $1,250 in eight years, $1,250 in nine years, $1,250 in ten years, $12,500 in eleven years.

SECTION 2. Said bonds shall be signed by the mayor, and countersigned by the clerk of said village, and shall not be sold for less than their par value, and may be sold at such time, and in such amounts and denominations from time to time as will, in the opinion of the council of said village, best carry out the purposes for which they were issued.

SECTION 3. The proceeds of said bonds shall be used for the purpose of paying the part of the expense of improving and paving Washington street, in said village, to be paid by general taxation, to-wit: The cost of paving all alley, street and highway intersections and also the one-third of the balance of improving and paving said street, from the east end of said Washington street, to the intersection of Green street.

SECTION 4. The council of said city is hereby authorized and empowered to proceed at once to contract for said improving and paving, and it shall not be necessary that the money to pay for the same should be in the treasury of said village, nor that the clerk of said village should so certify before said contracts are entered into.

SECTION 5. If the bonds of said village be issued as hereinbefore provided, it shall be the duty of the council of said village, and said council is hereby authorized and required annually hereafter, until the same and the interest thereon shall be paid, to levy a tax on all taxable property of said village, sufficient to provide for the payment of said bonds and the interest thereon, as the same may be due and payable.

SECTION 6. No more of said bonds shall be issued than shall be necessary to procure sufficient money to pay the expense of improving and paving said street.

SECTION 7. The cost of said improving and paving other than the cost of paving all alley, street and highway intersections, and one-third of the balance, shall be assessed by council upon the property, upon and

abutting said street, which said assessment of said two-thirds of said cost shall be per foot front against and upon said abutting property, and said assessment shall be paid by said abutting property owners, as other taxes, in ten annual installments, at such time and place in said village as may be provided by said council.

SECTION 8. Said bonds and the interest thereon shall be payable at the Chase national bank in New York city.

SECTION 9. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 31, 1892.
212L

[House Bill No. 814.]

AN ACT

To authorize the board of education of Mentor township, Lake county, Ohio, to provide for a deficiency in the funds of said school board.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the township of Mentor, Lake county, Ohio, for the purpose of meeting and providing for a deficiency in the funds of said school board, be and it is hereby authorized to issue the bonds of said township not to exceed two thousand dollars; said bonds shall bear interest not to exceed six per cent. per annum, payable semi-annually, and shall be of such denominations and become due as [at] such times, not exceeding ten years from date, as the said board may determine, and shall not be sold for less than their par value, and as provided by law; the proceeds arising from the sale of said bonds shall be apportioned to the funds of said board of education as may be determined by said board.

SECTION 2. The board of education of said Mentor township is hereby authorized to levy a tax annually, in addition to the taxes now authorized by law, on all the taxable property of said school district, sufficient to pay the principal and interest on said bonds, as the same becomes due.

SECTION 3. Nothing contained in this act shall be so construed as to release, in any manner, the treasurer of said board of education of Mentor township, Lake county, Ohio, or his sureties from any liabilities on his official bond.

SECTION 4. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,
Speaker pro tem. of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 31, 1892.
213L

[House Bill No. 815.]

AN ACT

To authorize the board of education of the Mentor special school district, Lake county, to issue bonds to meet a deficiency.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the Mentor special school district, Lake county, be and is hereby authorized and empowered to issue bonds of said district for an amount not to exceed one thousand ($1,000.00) dollars, for the purpose of supplying a deficiency in its tuition funds.

SECTION 2. Said bonds shall be issued by the board and signed by the president thereof, and countersigned by the clerk of the board, and shall bear interest at a rate not to exceed six per cent. per annum, payable semi-annually. The bonds shall be issued in such denominations as the board may determine, and in such installments annually as the board may deem best; and said bonds shall not be sold for less than their par value.

SECTION 3. The clerk of the board of education shall keep a complete record of said bonds, showing the amount of each bond issued, the date thereof and when due; number of bond, and rate of interest; and when the bonds are paid they shall be canceled, and the fact of such cancelation shall be noted on the record.

SECTION 4. That for the purpose of paying the interest of said bonds and the principal of the same, as they become due, the board of education is hereby authorized and empowered to levy a tax annually, on all the taxable property within said district in addition to the taxes now authorized to be levied by law for school purposes.

SECTION 5. Nothing contained in this act shall be so construed as to release in any manner the treasurer of said special school district or his official bond.

SECTION 6. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,
Speaker pro tem. of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 31, 1892.
214L

[House Bill No. 816.]

AN ACT

To authorize the board of education of Upper township, Lawrence county, Ohio, to borrow money, issuing bonds therefor, for the purpose of paying teachers.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of Upper township, Lawrence county, Ohio, be and is hereby authorized to borrow a sum of money not to exceed one thousand ($1,000 00) dollars, to be applied to paying teachers and other expenses in carrying on the school in Upper township school district.

SECTION 2. That for the purpose aforesaid the board of education of said township is authorized to issue and sell the bonds of said township,

to be signed by the president and clerk of said board of education, said bonds to be payable at such time or times not exceeding eight years from the respective dates thereof, as said board of education may determine. Said bonds shall not be sold for less than their par value and to be sold without compensation or commission, and said bonds may be payable at any place to be designated in said bonds.

SECTION 3. That for the purpose of paying said bonds and the interest thereon as the same shall become due, the said board of education is hereby authorized and empowered to levy annually a tax on all the taxable property of said Upper township, which levy may, if it becomes necessary, be in addition to that now authorized by law for school purposes, and shall be made at such a rate as to meet the payment of the bonds as they may become due, with the interest on the same, and shall be placed on the duplicate by the auditor of Lawrence county, collected as other taxes and when collected paid over to the treasurer of said Upper township.

SECTION 4. That the question of issuing said bonds and levying said tax shall be submitted to the qualified voters of said Upper township at a regular or special election, due notice of which shall be given at least ten days before holding said election, by the board of education of said Upper township, by posting in not less than five conspicuous places in said township notices of the time, place and purpose of holding said election. Those of the qualified voters of said township voting at said election, who favor issuing bonds shall have written or printed on their ballots, "For issuing bonds—Yes," and those opposing, "For issuing bonds—No," and if a majority of the ballots cast at said election shall have written or printed thereon the words "For issuing bonds—Yes," then this act shall be in force, but not otherwise

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed March 31, 1892.
215L

[House Bill No. 662.]

AN ACT

To authorize the council of the incorporated village of Middleport, Meigs county, Ohio, to issue and sell bonds and construct sewers.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Middleport, Meigs county, Ohio, is hereby authorized to issue and sell bonds of said village in the sum not exceeding fifteen thousand dollars ($15,000), in denominations not less than one hundred dollars and not more than one thousand dollars, bearing interest at a rate not exceeding six per cent. per annum, payable semi-annually, to be designated "Middleport sewer bonds," and to be payable at such time as the council may by ordinance prescribe, not more than thirty years from the date of their issue; and the said bonds shall be signed by the mayor and countersigned by the clerk of said vil-

lage and shall not be sold for less than their par value, and may be sold at such times and in such amounts from time to time as will best subserve to carry out the purposes for which they are issued.

SECTION 2. The proceeds of said bonds shall be applied in constructing and completing a system of sewers and drains for the said village under the direction of the council; and for the purpose of paying said bonds and the interest thereon as the same shall become due, the said village council is hereby authorized and empowered to levy on all the taxable property of said village of Middleport a tax for such amount annually, not exceeding three (3) mills on the dollar of the taxable property of the village in addition to the taxes now authorized by law to be levied, which levy shall be placed on the duplicate by the auditor of the said county of Meigs and collected as other taxes; and when collected it shall be paid over to the treasurer of the said village of Middleport.

SECTION 3. Before any contract shall be made, indebtedness incurred or bonds issued under the provisions of this act, the question shall be submitted to a vote of the qualified electors of the said village of Middleport at a municipal or general election or at a special election that may be called for that purpose by the village council, of which election at least fifteen (15) days' previous notice shall be given by the mayor of the village, who shall cause to be published a notice of the same in a newspaper of general circulation in the said village, and by posting up notices of the time and place of holding such election in at least six conspicuous places in the said village; and if a majority of those voting at said election shall favor the issuing of bonds, then the council shall be authorized to issue the bonds and levy the tax as herein provided. Those voting in favor of the issue of bonds shall have written or printed on their ballots the words, "For the issue of bonds—Yes;" and those voting against the issue of bonds shall have written or printed on their ballots the words, "For the issue of bonds—No."

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed April 6, 1892.
216L

[House Bill No. 734.]

AN ACT

To authorize the board of education of the village school district of Huron, Erie county, Ohio, to increase the annual tax levy.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of said village school district of Huron, Erie county, Ohio, be and are hereby authorized to levy a tax for the years 1892 and 1893, on all the taxable property within said school district not exceeding three mills on the dollar, for each year, in addition to the levy

now authorized by law, the same to be collected as other taxes, for the purpose of supporting and continuing the schools in said district.

SECTION 2. That this act shall take effect on and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 6, 1892.
217L

[House Bill No. 163]

AN ACT

To authorize the board of education of the city of Zanesville, Ohio, to borrow money and issue bonds for school-house purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the city of Zanesville, Ohio, is hereby authorized to borrow money to an amount not exceeding thirty thousand dollars ($30,000), for the purpose of purchasing grounds for school-house purposes and erecting additional school-houses, and to issue bonds for said sum so borrowed. The levy for the payment of the same not to exceed in any one year the present limitation.

SECTION 2. Said bonds shall be in denominations not less than one hundred dollars ($100), and shall bear interest not exceeding six per centum per annum, payable semi-annually, and shall be payable after ten years at the option of the board, and due in twenty years, from date of issue, and shall not be sold for less than par. Said bonds shall be signed by the president and clerk of said board and shall be duly registered and authenticated by the seal of said board upon resolution in that behalf passed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed April 6, 1892.
218L

[House Bill No. 631.]

AN ACT

To authorize Hardy township, Holmes county, to issue and sell bonds of said township for the purpose of aiding and encouraging public improvements to an amount not exceeding forty thousand dollars ($40,000).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Hardy township, Holmes county, Ohio, be and the same are hereby authorized and empowered to issue the bonds of said township in any sum not exceeding forty thousand dollars ($40,000), in denominations not exceeding one thousand dollars ($1 000) each, bearing

interest not exceeding six per cent. per annum, interest payable semi-annually, and payable in equal annual payments for a period not to exceed twenty-five years from the date of their issue, as said trustees may determine; said bonds shall be sold at not less than their par value according to law.

SECTION 2. The proceeds arising from the sale of said bonds or any portion of them shall be turned over to the treasurer of the board of fifteen trustees, hereinafter provided for, for the purpose of encouraging the building of railroads or railroad in and through said township, and mechanical establishments, piking and improving of public roads leading to and from the incorporated village of Millersburg in said township, in such manner and proportions and amounts as four-fifths majority of all members of said board, hereinafter named, by a vote duly entered on the journals of said board, and a resolution for that purpose duly offered and passed. Said bonds shall be duly signed by the trustees of said township, or a majority of them, and countersigned by the clerk of said township.

SECTION 3. The board of fifteen trustees herein named shall be appointed by the probate judge, auditor and treasurer of Holmes county, Ohio, which board shall be electors of said township, whose term of office shall be until the expiration of said trust. Said board, within a reasonable time [after] their appointment, shall, all or four-fifths majority of them meet, on notice in writing, by the clerk of said township, handed to each of them, personally, fixing the time and place of said meeting, which meeting place shall be at the township clerk's office in said township. Said board shall thereupon elect one of their number president, another secretary and another treasurer; the secretary and the treasurer shall give separate bonds, in an amount and sufficiency to be fixed and approved by the probate judge, auditor and treasurer of said county, conditioned on faithful performance of duty, and such other conditions as said appointing power may designate, payable to said township. Said board shall have the right to remove any of its members for cause by a four-fifths vote. In case of a vacancy occurring in said board by removal of any of its members for cause, resignation or death, said vacancy shall be filled in like manner as original members of the board are appointed, as provided for in this section.

SECTION 4. No moneys shall be paid out except it be upon the written order of the secretary, countersigned by the president of the board, but in no event shall such order be issued until it shall have been ordered by a four-fifths majority of said entire board, and at a regular meeting of which all members had reasonable notice, and duly entered upon the journals of said board.

SECTION 5. It shall be the duty of the clerk of said township to issue his order upon the treasurer of said township as soon as said bonds shall be sold, and the proceeds turned over, in favor of the treasurer of said board herein provided for the full amount of said proceeds, except the costs in selling said bonds.

SECTION 6. The special board herein provided for, including its officers, shall serve without compensation, except the secretary of said board, which compensation shall not exceed fifty dollars ($50 00) per annum.

SECTION 7. Said special board herein provided for shall report annually in detail to the trustees of said township all their acts.

SECTION 8. Before any of said bonds shall be issued and sold, and before any other acts are done, as provided in this act, the question of the

issue and sale of said bonds, for the purpose herein specified, shall be submitted to the qualified electors of said township at a special election called for the purpose of voting on such question. The ballots used by such electors shall have written or printed thereon, "For public improvement—Yes," "For public improvement—No;" and if a two-thirds majority of such electors voting on said question shall vote "Yes," then said township shall issue said bonds as herein expressed.

SECTION 9. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.

ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed April 6, 1892.
219L

[House Bill No. 707.]

AN ACT

To amend an act entitled "An act to amend an act entitled 'an act relative to state and county roads and unfinished free turnpikes in Pickaway county,'" passed February 21, 1881.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section one of the above recited act be so amended as to read as follows:

Sec. 1. That the commissioners of Pickaway county be and they are hereby authorized and empowered upon such terms as they may deem for the best interest of the county and the landowners along the line of such proposed improvement, to complete any unfinished free turnpike, or improve by graveling or otherwise any state or county road connecting with any free turnpike or graveled road, now completed or which may be completed under the provisions of this act; provided, that said commissioners shall, before proceeding to improve said road or any part of same, require and secure from those interested in said improvement, a subscription or donation equal in amount to not less than twenty per centum (20%) of the cost of said improvements, to aid in the construction of the same; and for the purpose of constructing or aiding in the construction of such improvements, the county commissioners are hereby authorized to issue the bonds of said county in such sums as they may deem advisable, not exceeding the sum of $5,000.00 in any one year; said bonds to bear interest not exceeding the rate of six per cent. per annum, payable in one, two or three years at the discretion of the commissioners, and shall not be sold for less than their par value; and for the purpose of paying said bonds and interest thereon as they may become due the commissioners are further authorized to levy a tax on all of the taxable property of the county, in addition to the amount now authorized by law.

SECTION 2. That section one of the above recited act, as amended February 21, 1883, be and the same is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ELBERT L. LAMPSON.
President pro tem. of the Senate.

Passed April 6, 1892.
220L

[House Bill No. 725.]

AN ACT

Supplementary to an act entitled "An act to create a special road district of Pultney township, Belmont county, Ohio, and authorize the commissioners of said county to locate, grade and improve certain roads, and provide for the payment thereof by a local tax," passed March 25th, 1890 (O. L., volume 87, page 477).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio* That the following be and the same is hereby enacted as supplementary to an act entitled "An act to create a special road district of Pultney township, Belmont county, Ohio, and authorize the commissioners of said county to locate, grade and improve certain roads, and provide for the payment thereof by a local tax," passed March 25th, 1890 (O. L., volume 87, page 477): To pay for completing the work on the Pultney township roads already contracted for in pursuance of the act to which this is supplementary, the commissioners of Belmont county, Ohio, are hereby authorized to issue and sell the bonds of the county, to be known as Pultney township road bonds, in such denominations as they may determine, not to exceed in the aggregate the sum of thirty thousand dollars (additional to the $90,000.00 heretofore authorized), bearing interest not to exceed five per centum per annum, payable semi-annually, the bonds to be made payable in not more than 25 years and redeemable at the end of 15 years from the date of issue, at the office of the treasurer of said county; said bonds are not to be sold for less than their par value. And for the purpose of paying the interest on said bonds and creating a sinking fund out of which to redeem or pay them at maturity the commissioners are hereby authorized to levy upon all the taxable property in said special road district (Pultney township and Bellaire city) in addition to the taxes authorized by said original act, and all other taxes now authorized, not exceeding one-half of one mill on the dollar valuation in any one year, unless a greater levy is needed to pay the said bonds and the accruing interest thereon.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ELBERT L. LAMPSON.
President pro tem. of the Senate.

Passed April 6, 1892.
221L

[House Bill No. 736.]

AN ACT

To provide for certain road imp ovement in Greene county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Greene county, Ohio, are hereby authorized and required to cause so much of the state road located and established by the county commissioners of Greene and Clinton counties, in Jefferson township, Greene county, in 1887, beginning in the improved road leading from Starbucktown, Clinton county, northwardly to the intersection of the Hussey turnpike road, to be improved when the necessary proceedings have been instituted therefor as hereinafter provided. Seventy per centum of the cost and expenses of such improvement to be borne by the county, and the residue to be levied and assessed upon the property and lands benefited, and collected as hereafter directed.

SECTION 2. Whenever the requisite steps by petition shall have been taken for the authorization and establishment of a free turnpike road out of said portion of the state road as provided for in section one, which is hereby authorized in accordance with the provisions of chapter 7, title 7, of the Revised Statutes of Ohio, entitled "one-mile assessment pikes" (except as in this act otherwise provided), said county commissioners shall proceed to cause such free turnpike road to be established and constructed in accordance with said provision, except that seventy per centum of the cost and expenses thereof shall be paid by said county, as herein provided, and thirty per centum of the cost and expenses thereof shall be levied upon the lands and taxable property within the bounds of said road as laid out and established, and all and singular of said provisions of said chapter shall be operative and in force and shall be complied with, so far as applicable, in all respects as to said improvement with the exceptions aforesaid.

SECTION 3. Whenever a petition shall be presented to said county commissioners praying for the improvement of said road (which is hereby authorized), and a bond filed as prescribed in section 4831 of said Revised Statutes, said county commissioners shall proceed in accordance with the provisions of chapter 8 of said title 7 of the Revised Statutes, entitled "two-mile assessment pikes," to cause the improvement prayed for to be made (except as otherwise herein provided), and all and singular of the provisions of said chapter 8 shall be operative and in force, and shall be complied with as to such improvement, which shall be made in accordance therewith, except that seventy per centum of the cost and expense thereof shall be borne by the said county as herein provided; and thirty per centum thereof shall be assessed upon the lands and taxable property assessable for the same; provided that no land shall be subject to more than a single assessment in the aggregate for said improvement, or for the same and any other like improvement, provided for in the year 1892

SECTION 4. For the purpose of providing money to meet said seventy per centum of the cost and expenses of said improvement when ordered, said county commissioners are authorized and directed, as the same are needed, to issue the bonds of said county, of the denominations of $100, or multiple thereof, bearing interest not exceeding six per centum per annum, payable semi-annually at the treasury of said county. Said bonds shall not be sold for less than their par value, placing the proceeds in the county treasury. The bonds shall have such time to run as that

one-tenth of a mill to the dollar levy yearly on the grand duplicate of said county shall raise sufficient money to pay off the same, with interest as it accrues, and said commissioners shall annually levy a tax on all the taxable property of the said county of one-tenth of a mill to the dollar, or so much thereof as shall be needed to redeem such bonds and pay the interest thereon as the same become due. The money realized from said bonds shall be paid out by orders of said county commissioners, on the warrant of the county auditor.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed April 6, 1892.
222L

[House Bill No. 758.]

AN ACT

To authorize the trustees of Jackson township, Perry county, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Jackson township, Perry county, are hereby authorized to transfer seven hundred dollars ($700) from the building fund to the general township fund of said township.

SECTION 2. This act to be in effect from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed April 6, 1892.
223L

[House Bill No. 787.]

AN ACT

To authorize the council of the incorporated village of Athens, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Athens, Athens county, Ohio, be and is hereby authorized to transfer $1,623.05 from the public improvement bond interest fund, being the total amount in said fund, to the road and street fund of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed April 6, 1892.
224L

[House Bill No. 796.]

AN ACT

To authorize the board of education of the village of La Grange, Lorain county, state of Ohio, to borrow money and issue bonds therefor, for the purpose of completing and furnishing a school building.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of the village of La Grange, Lorain county, Ohio, be and they are hereby authorized to borrow the sum of three thousand dollars, to be applied to the payment of the expense of completing and furnishing a school building in said village.

SECTION 2. That for the purpose of meeting the expense aforesaid, the said board are hereby authorized to issue bonds to be signed by the president and attested by the clerk of said board, and in such denominations as said board may determine, and bearing interest at a rate not to exceed six per cent. per annum payable semi-annually; said bonds to be payable at such times as said board may determine, not to exceed twelve years from the date of issue, and not to be sold at less than their par value, and may levy a tax annually for the purpose of paying said bonds and interest authorized by law.

SECTION 3. This act to take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed April 6, 1892.
225L

[House Bill No. 804.]

AN ACT

To authorize the trustees of Union township, Putnam county, Ohio, to make additional levies for certain purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Union township, Putnam county, Ohio, be and they are hereby authorized to levy annually, for a period of not exceeding fifteen years from and after the date of the passage of this act, an amount not exceeding four (4) mills in any one year, upon the dollar, of all the taxable property in said township, in addition to that now authorized by law, for the purpose of constructing improved roads in said township; said levy and fund so raised to be known as the "pike fund."

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed April 6, 1892.
226L

[Senate Bill No. 197.]

AN ACT

To authorize the commissioners of Franklin county to complete the roadway and approaches to Lane avenue bridge.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of commissioners of Franklin county, Ohio, be and they are hereby authorized and empowered to issue the remainder of the bonds as authorized by the act entitled "An act to authorize the commissioners of Franklin county to construct a bridge across the Olentangy river," passed February 19, 1890; and to levy a tax of one-tenth of a mill on the dollar valuation for the year 1892, on the taxable property of said Franklin county, Ohio, for the purpose of improving and completing the roadway and approaches of said Lane avenue sixty (60) feet wide from Doe alley to the Delaware state road.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed April 7, 1892.
227L

[House Bill No. 671.]

AN ACT

To amend section one of an act entitled "An act authorizing the county commissioners of Athens county to construct free turnpikes," passed May 1, 1885, as amended April 9, 1891.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section one of the above recited act be so amended as to read as follows:

Sec. 1. That the county commissioners of Athens county are hereby authorized, when in their judgment the public interest demands it, to cause to be constructed free turnpike roads on or near any state or county road in said county of such width as in their judgment seems best; and in [in] the construction of such roads said commissioners shall proceed in accordance with the provisions of sections 4770, 4772 and 4773 of the Revised Statutes; provided, that not more than 20 (twenty) thousand dollars of the public money shall be expended for any such purposes in any one year and before ordering any such road said commissioners shall require a donation of not less than thirty (30) per centum of the estimated cost thereof to aid in the construction of such road from the township in which said road is proposed to be constructed, or from private subscription or other source. The commissioners may issue bonds for the construction of such roads bearing not more than six per centum interest per annum, payable at such times as said commissioners may see fit to stipulate therein, which bonds shall not be sold for less than their par value; and said commissioners may levy a tax on all taxable property in said county not more than two and one-half mills on a dollar annually, for the purpose of paying for the construction of such roads or for paying for said bonds

that may be issued; and the trustees of any township in which said road is proposed to be constructed, and desiring to aid such construction, may agree with the commissioners to pay thirty (30) per centum of the estimated cost of said construction of such road, and such agreement shall be binding on such township; and said trustees may issue bonds for the proportionate expense of such township for the construction of such road, said bonds bearing not more than six per centum interest per annum, and payable at such times as the said trustees may see fit to stipulate therein, which bonds shall not be sold for less than their par value; and said township trustees may levy a tax in addition to that otherwise authorized by law, on all taxable property in said township, but not more than two and one-half mills on the dollar annually, for the purpose of paying its proportionate expense of the construction of such road or for the paying the said bonds that may be issued.

SECTION 2. Said original act passed May 1, 1885, entitled "An act authorizing the county commissioners of Athens county to construct free turnpikes," as amended April 9, 1891, is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed April 7, 1892.
228L

[House Bill No. 719.]

AN ACT

To authorize the trustees of Clark township, Clinton county, Ohio, to issue and sell the bonds of said township for the purpose of raising money to pay for the sinking of wells for natural gas.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of the township of Clark, in the county of Clinton, be and the said trustees are hereby authorized to issue the bonds of said township not exceeding in amount $3,000, to sell the same at not less than their face value and use the proceeds thereof in sinking wells for natural gas.

SECTION 2. Said bonds to bear interest not exceeding 6 per cent. per annum, payable annually, and the principal to be payable at such times and places not exceeding 3 years from the date of issue as the said trustees may determine, for the purpose of providing funds to defray the expense of sinking wells for natural gas.

SECTION 3. For the payment of said bonds and interest thereon, said trustees shall levy a tax, in addition to the amount otherwise authorized by law, every year during the period the bonds have to run, sufficient in amount each year to pay the bonds falling due that year and the accruing interest.

SECTION 4. Before such bonds shall be issued or tax levied, the question of issuing said bonds and the levying a tax therefor, the same shall be submitted to a vote of the qualified electors of said township at a special election called for that purpose as the trustees of said township

may order; notice of such election shall be given by public notices posted up at five of the most public places in said township at least five days before said election. The tickets voted at said election shall have written or printed thereon "Authority to issue bonds—Yes," "Authority to issue bonds—No." If the proposition to issue bonds is approved by a majority of all the voters voting on said proposition at said election the trustees of said township shall have authority to issue the said bonds and levy the tax as provided for in this act.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed April 7, 1892.
229L

[House Bill No. 818.]

AN ACT

To authorize the board of education of the West Mill Grove village school district of Wood county, Ohio, to sell its old school-house and grounds and to issue bonds for the purpose of purchasing other grounds and erecting thereon a school-house.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the West Mill Grove village school district of Wood county, Ohio, be and hereby is authorized to sell and convey its old school-house and grounds, apply the proceeds arising therefrom to the erection of a new school-house hereinafter referred to, and to issue the bonds of said district in a sum not exceeding seven thousand ($7,000.00) dollars for the purpose of purchasing other grounds and erecting thereon a school-house in said district.

SECTION 2. That such bonds shall be issued in denominations of not less than one hundred ($100.00) nor more than one thousand ($1,000.00) dollars payable in such times not exceeding ten years as the board may provide with interest not to exceed six per cent. per annum payable semi-annually, principal and interest payable at such place as the board may determine and the principal also to be paid in such amounts as the board shall determine; said bonds shall not be sold for less than their par value.

SECTION 3. That when such bonds are issued they shall express upon their face the purpose for which issued, the act under which issued, the amount of bond, the rate of interest, the time and place at which such bonds and interest shall be paid, and shall be signed by the president and secretary of the board of education.

SECTION 4. That for the purpose of paying said bonds and interest thereon as the same shall become due, the said board of education is authorized and empowered to annually levy a tax on all taxable property in said village school district in addition to that now authorized by law sufficient to pay the same, which levy shall be placed on the duplicate by the auditor of said county, collected as other taxes and when collected paid over to the treasurer of said school district.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed April 7, 1892.
230L

[House Bill No. 858.]

AN ACT

To authorize the commissioners of Henry county, Ohio, to provide for deficiency in the general fund of said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Henry county, Ohio, be and they are hereby authorized and empowered, at their regular June sessions, to levy a tax on the grand duplicate of said county, at a rate not to exceed one mill on the dollar, in addition to that now authorized by law. Said taxes when collected to be used to pay the indebtedness of the general fund of said county.

SECTION 2. Should it become necessary to use all or any part of the levy provided for by section one of this act, before the same is paid in, the said commissioners shall have power to execute and issue notes or bonds for the same, in such amount, and for such time, as they may deem proper, payable not later than July 1, 1900, not exceeding in the aggregate thirty-five thousand dollars, bearing interest not [to] exceed six per centum per annum, and payable semi-annually, and shall not be sold for less than their par value.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed April 7, 1892.
231L

[House Bill No. 860.]

AN ACT

To authorize the trustees of the township of Painesville, Lake county, Ohio, to provide for a deficiency in the funds of said township.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of the township of Painesville, Lake county, Ohio, for the purpose of meeting and providing for a deficiency in the funds of said township, be and they are hereby authorized to issue the bonds of said township not to exceed in amount the sum of ($2,500) two thousand five hundred dollars. Said bonds shall bear interest not to exceed six per cent. per annum, payable semi-annually, and shall be of such denomina-

tions and shall become due at such times, not exceeding five years from date, as the said trustees may determine, and shall not be sold for less than their par value, and as provided by law. The proceeds arising from the sale of said bonds shall be apportioned among the several funds of said township as may be determined by the said trustees.

SECTION 2. The trustees of said township of Painesville are hereby authorized to levy a tax, annually, in addition to the taxes now authorized by law on all the taxable property of said township, sufficient to pay the principal and interest on said bonds, as the same becomes due.

SECTION 3. Nothing contained in this act shall be so construed as to release in any manner the treasurer of said township of Painesville, or his sureties from any liability on his official bond.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed April 7, 1892.
232L

[House Bill No. 862.]

AN ACT

To create a joint sub-school district to be known as the St. Charles joint subdistrict, in Butler county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That there be and hereby is created a joint sub-school district to be known as the St. Charles joint sub-school district, in Butler county, Ohio, which school district shall embrace the following described territory, to-wit: All of section 35 and the southeast quarter of section 34 in Reily township, Butler county, Ohio, and the west half of section 2, all of section 3, and the east half of section 4, in Morgan township, Butler county, Ohio; and that said joint sub-school district shall be subject to and controlled by the laws of the state of Ohio governing joint sub-school districts.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 7, 1892.
233L

[House Bill No. 872.]

AN ACT

For the relief of Solon A. Rand, treasurer of Lake county, Ohio, and the sureties on his official bond.

WHEREAS, On the 21st day of March, A. D. 1892, said Solon A. Rand was the treasurer of the county of Lake, in the state of Ohio; and

WHEREAS, As such treasurer, he then had on deposit in the Painesville savings and loan association, ten thousand four hundred and ninety-three dollars and fif y-eight cents, of the funds in his hands as such treasurer, together with all his individual funds amounting to fifteen hundred dollars; and

WHEREAS, Without fault or negligence on the part of said Rand, said funds have been lost by the suspension and failure of said association:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county board of elections of said county of Lake shall at a regular or special election, due notice of which shall be given, submit to the qualified electors of said county the proposition to relieve and release said Solon A. Rand and the sureties on his official bond as such treasurer, and if said proposition carries by a majority of the electors voting on said proposition, at such election, then the said Solon A. Rand, and the said sureties on the official bond of the said Solon A. Rand, as treasurer aforesaid, shall be then and thereafter wholly relieved and released from the payment to said county or to the officers thereof, of whatever part of said sum of ten thousand four hundred and ninety-three dollars and fifty-eight cents shall remain due said Solon A. Rand, as said treasurer, from said savings and loan association, upon the settlement of the affairs of said association, and they and each of them shall be relieved and released from all liability for said sum.

SECTION 2. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,
Speaker pro tem. of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed April 7, 1892.
234L

[Senate Bill No 103.]

AN ACT

To authorize the incorporated village of McConnelsville, Morgan county, Ohio, to borrow money for the purpose of purchasing additional grounds for cemetery purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of McConnelsville, Morgan county, Ohio, be and is hereby authorized to borrow a sum not to exceed five thou-and dollars, for the purpose of purchasing additional grounds for cemetery purposes.

SECTION 2. For the purpose of borrowing said money, the council is authorized to issue the promissory notes of said village, duly attested by the mayor and clerk thereof, for sums not less than one hundred dollars each, and not exceeding in the aggregate said amount of five thousand dollars. Said notes to bear interest at a rate not exceeding six per cent., payable annually, and be redeemable and payable at a period not exceeding five years from the date of issue.

SECTION 3. The money so borrowed upon said notes shall be used solely for the purposes named in the first section of this act; and shall be

expended by the cemetery trustees, under the direction and supervision of said council of said village.

SECTION 4. Whenever said money shall be borrowed as provided for in this act, it shall be the duty of said council to levy a tax on all the taxable property within said incorporated village sufficient to pay the interest accruing annually on said notes so issued, and to create a sinking fund for the payment of the principal thereof as the same shall become due; provided, that all funds arising from the sale of lots of the grounds so purchased, after the payment of the necessary expenses for the improvement of the same, shall be covered into the corporation treasury and placed to the credit of said sinking fund.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 8, 1892.
235L

[Senate Bill No. 205.]

AN ACT

To authorize the board of education of the school district of Jackson, Jackson county, to purchase grounds and erect a school-house thereon, and to issue bonds therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That the board of education of the school district of Jackson, in Jackson county, is hereby authorized to purchase ground and erect a school-house thereon, or to erect additions to the buildings now in use in said district, or to erect other buildings on the site or sites now owned by said district, and furnish the same at a cost of not more than $20 000, and to issue the bonds of said school district for not more than $20,000, in denominations of not less than fifty nor more than one thousand dollars each, to run from one to ten years, payable $2 000 a year, bearing five per cent. interest, payable annually, and shall not sell for less than par; and the said board shall levy yearly on the property of such school district a tax sufficient to pay the accruing interest on such bonds, and to meet said maturing bonds; and such levy may be outside of and additional to the limitation now imposed by law on the amount that may be levied for any and all purposes.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 8, 1892.
236L

[Senate Bill No. 228.]

AN ACT

To create the incorporated village of Nevada, Wyandot county, Ohio, a separate road district for macadamizing purposes, and to improve the roads, streets, alleys and highways in said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the village of Nevada, in Wyandot county, be and the same is constituted and made a separate and independent road district for the purpose of macadamizing and improving the roads, streets, alleys and highways in said village.

SECTION 2. All lands and taxable property within the limits of said incorporated village of Nevada shall be exempt from taxation for road improvements without the limits of said village.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 8, 1892.
237L

[Senate Bill No. 251.]

AN ACT

To authorize the trustees of Harrisville township, Medina county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Harrisville township, in the county of Medina, and state of Ohio, be and are hereby authorized to transfer from such fund or funds of said township, as they deem expedient, a sum not to exceed one thousand dollars to the incorporated village of Lodi, in said township, county and state.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 8, 1892.
238L

[Senate Bill No. 223.]

AN ACT

To authorize the board of education of Archbold village school district, of Archbold, Fulton county, Ohio, to levy a tax to pay indebtedness.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the members of the board of education of Archbold village school

district, of Archbold, Fulton county, Ohio, be and they are hereby [authorized] to levy in addition to the amount now allowed by law, a tax of not to exceed five mills on the dollar, for the years 1892, 1893, 1894, 1895 and 1896, on all taxable property of said district for the purpose of paying indebtedness incurred in building a school-house and other incidental expenses.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives
ANDREW L. HARRIS,
President of the Senate.

Passed April 12, 1892.
239L

[Senate Bill No. 227.]

AN ACT

To create the township of Antrim, in the county of Wyandot, state of Ohio, a separate road district for macadamizing purposes, and to improve the roads and highways in said township, and to levy and assess taxes for said macadamizing and improving of said roads and highways in said township.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That Antrim township, Wyandot county, except that portion of the village of Nevada in said township, be and the same is constituted and made a separate and independent road district, for the purpose of macadamizing and improving the roads and highways in said township.

SECTION 2. That the taxes authorized to be levied shall be placed by the county auditor upon the taxable property of the township and collected by the county treasurer as other taxes, and when collected, shall be paid to the township treasurer of the township from which the same was collected, and be under the control of the township trustees thereof, for the purpose of improving, by macadamizing or gravelling, the public roads and highways.

SECTION 3. The trustees of Antrim township, Wyandot county, for the purpose of macadamizing and improving the roads and highways in said township, so constituted and made a special and independent road district by the provision of section 1 of this act, be and they are hereby authorized to purchase stone and gravel for the purpose of macadamizing, graveling and improving the roads in said township; but the said trustees shall not pay for the services of man and team for hauling said stone or gravel more than one dollar and fifty cents per day; and the said trustees, in determining the division of the road fund, shall be governed, not by the number of miles of road in each road district, but by the necessities of the roads, the convenience of getting material, the quality of the material necessary to make substantial repairs, and shall make a just and equitable division of the road fund between the districts. In expending the funds for improving the roads as provided in this section, the trustees shall give preference to those from whom the tax is collected for road purposes, and it shall be the duty of the trustees to see that this provision is observed so far as practicable for the best interests of the roads and of the taxpayers.

SECTION 4. The trustees of said Antrim township are hereby authorized to levy a tax on all the taxable property in said township, in addition to the amount now authorized by law, not exceeding three (3) mills additional in any one year for a period not exceeding five years from the passage of this act, for the payment of the expenses of the improvement, repair and macadamizing of the roads in said township.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 12, 1892.
240L

[Senate Bill No. 285.]

AN ACT

To authorize the council of the incorporated village of Mt. Gilead, Morrow county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Mt. Gilead, Morrow county, Ohio, be and is hereby authorized to transfer the sum of $400 from the police fund to the general fund and street and sanitary fund, as follows: $200 to the general fund and $200 to the street and sanitary fund.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 12, 1892.
241L

[Senate Bill No. 286.]

AN ACT

To authorize the village of Bryan, in Williams county, to issue bonds for the purpose of raising money to construct water-works, and to levy taxes for the payment thereof.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the village of Bryan, in Williams county, Ohio, be and hereby is authorized to issue and dispose of in the manner provided by law, its bonds, in denominations of not less than one hundred nor more than one thousand dollars each, and not exceeding in the aggregate the sum of thirty thousand dollars; such bonds to draw interest, not exceeding six per centum per annum, payable annually, and be payable respectively at or within such time or times as the council of such village shall by ordinance determine; provided the question of the issue of said bonds shall first be submitted to the vote of the qualified electors of said village at a general or special election, after notice of such submission given in one or

more newspapers published in said village once a week for two consecutive weeks, stating the amount of bonds to be issued, the purpose for which they are to be issued, and the time and place of holding the election; the said electors who vote in favor of the proposition shall have written or printed upon their ballot the words, "For the issue of bonds," and those who vote against the same shall have written or printed upon their ballot the words, "Against the issue of bonds;" and if the majority of the voters voting at such election upon the question of issuing the said bonds vote in favor thereof, then and not otherwise the said bonds may be issued and disposed of.

SECTION 2. In the event of the issuance of bonds under authority hereof the council of said village of Bryan be and hereby is authorized and required to levy, in addition to other taxes authorized by law, such rates and sums as shall provide for the payment of the principal and interest of the said bonds as such interest or principal shall respectively mature.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 12, 1892.
242L

[Senate Bill No. 289.]

AN ACT

To authorize and direct the commissioners of Butler county to improve part of the Middletown and Madison road and to issue bonds to provide a fund for that purpose.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Butler county be [and] the same hereby are authorized and directed to improve a part of a certain embankment and levee used as a county road; about five-eighths of a mile in length, lying in Madison township, and running from the corporation line of the city of Middletown to the Cincinnati, Hamilton and Dayton railway; by paving the same with vitrified brick, granite or stone equally as good, the said improvement to be constructed as soon as possible and under the direction of the county commissioners.

SECTION 2. To raise the funds necessary to make the improvement provided for in the preceding section, the commissioners are hereby authorized to issue the bonds of the county for a sum not to exceed twenty-five thousand dollars ($25,000), said bonds to be known as the Middletown and Madison road improvement bonds and to be of the denomination of one thousand dollars ($1,000) each, and to bear interest at a rate not to exceed five per cent per annum, evidenced by proper interest coupons, and the said bonds shall be due and payable not later than fifteen years from the date of issue.

SECTION 3. In order to provide a fund to pay the interest and principal of the said bonds as the same shall become due and payable, the county commissioners are hereby authorized to annually levy a tax upon all the taxable property of the county, of one-tenth of a mill, which fund

shall be used for no other purpose other than that of paying the interest and the principal of said bonds.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 12, 1892.
243L

[House Bill No. 751.]

AN ACT

To authorize the board of education of the special school district of Gann, Knox county, Ohio, to issue bonds to purchase grounds and erect thereon a school building.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the special school district of Gann, Knox county, Ohio, be and hereby is authorized to issue bonds in a sum not exceeding the sum of six thousand dollars ($6,000), bearing interest at a rate not exceeding six per cent. per annum, and redeemable at a period not exceeding fifteen (15) years from date of issue.

SECTION 2. Said bonds shall be signed by the president of said board of education of said special school district, and countersigned by the clerk of said board, and shall be made payable at such place or places as the board of education of said special school district shall provide, and said bonds shall not be sold for less than their par value, and may be issued and sold at such times and places and in such amounts as the board of education of said special school district may provide.

SECTION 3. Before said board of education of said special school district shall issue the bonds herein provided for, the proposition shall be submitted to the qualified electors of said special school district at any general or special election called for that purpose, at least ten days' notice being given of such election. The election shall be held at the usual place of holding elections in said special school district, and said election shall be held within ninety days from the passage of this bill, and all electors favoring said proposition shall have written or printed on their ballots, "Issue bonds to purchase grounds and erect thereon a school building—Yes," and those opposed, "Issue bonds to purchase grounds and erect thereon a school building—No;" and should a majority of the electors voting upon such proposition vote yes, then said board of education may issue and sell said bonds and purchase grounds and erect thereon a school building as provided in this bill.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 12, 1892.
244L

[House Bill No. 767.]

AN ACT

To authorize the board of education of the school district of the village of Adelphi, Ross county, Ohio, to levy an additional tax.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of the school district of the village of Adelphi, Ross county, Ohio, be and are hereby authorized to levy a tax on all the taxable property within said district, not to exceed one mill, for the period of three years, for the purpose of repairing school-house, in addition to the levy now authorized by law, the same to be collected as other taxes.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 12, 1892.
245L

[House Bill No. 829]

AN ACT

To authorize the council of the incorporated village of South Solon, Madison county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of South Solon, Madison county, Ohio, be and the same is hereby authorized and empowered to transfer a sum not to exceed twelve hundred dollars ($1,200) from the general fund to a building fund, and also a sum not to exceed twelve hundred dollars ($1,200) from the general fund to the street fund.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 12, 1892.
246L

[House Bill No. 831.]

AN ACT

To authorize the commissioners of Madison county to borrow money to purchase furniture and fixtures for the court-house in said county, and to improve the court-house grounds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Madison county, for the purpose of purchasing furniture and fixtures for the court-house in said county and improving the court-house grounds, are hereby authorized to borrow such sum or

sums of money as they shall deem necessary, not to exceed twenty thousand ($20 0C0.00) dollars, at a rate of interest not to exceed six per cent. per annum, and issue bonds of said county to secure the payment of the principal and interest thereon; such interest shall be paid semi-annually, and the principal shall be paid at such times as the commissioners shall prescribe, within twenty (20) years from the date of such indebtedness; said bonds to be sold for not less than their par value.

SECTION 2. That the bonds so issued shall be signed by the commissioners, or any two of them, and countersigned by the county auditor, in sums of one thousand ($1,000) dollars each, payable to bearer at the county treasury, with interest as aforesaid, at such times not exceeding twenty years after date, as the commissioners may prescribe; and such bonds shall specify distinctly the object for which they were issued.

SECTION 3. The commissioners shall annually at their June session, levy such tax on the personal and real property in said county, as will pay the interest on such indebtedness, and the principal as it matures.

SECTION 4. Any money arising from the sale of said bonds that shall not have been expended for said purposes by the 1st day of September, 1893, shall be transferred to the general county fund of said county.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 12, 1892.
247L

[House Bill No. 840.]

AN ACT

To amend section 1 of an act entitled "An act to regulate the distribution of any surplus that may remain in the treasury of the county of Scioto, arising from the tax on dogs," passed March 30, 1880 (77 v. 361), as amended April 16, 1881 (78 v. 379).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 1 of an act entitled "An act to regulate the distribution of any surplus that may remain in the treasury of the county of Scioto, arising from the tax on dogs," as amended, be so amended as to read as follows:

Sec. 1. Any surplus arising from the tax on dogs in excess of five hundred dollars, and any sums now in the county treasury in the county of Scioto to the credit of the dog fund, in excess of said amount after all damages to sheep killed or injured by dogs shall have been paid, shall be transferred by order of the county commissioners to the credit of the county current fund; provided, that the agricultural society of said county, organized under the provisions of section 3697 of the Revised Statutes, shall be entitled to draw from said surplus not exceeding five hundred dollars in any one year, for the encouragement of agricultural fairs, or in the payment of premiums or erection of buildings therefor, upon such terms and under such regulations as the said county commissioners may prescribe.

SECTION 2. Original section 1, as amended, of the above recited act is hereby repealed, and this act shall be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 12, 1892.
248L

[House Bill No. 849.]

AN ACT

To authorize the board of education of the Union school district of Wellington, Lorain county, Ohio, to levy a tax to supply a deficiency in the contingent fund of said district.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That the board of education of the Union school district of Wellington, Lorain county, Ohio, be and the same is hereby authorized and empowered to levy a tax, in addition to that now authorized by law to be levied, of one mill upon all of the taxable property of said district, each year for three consecutive years, for the purpose of supplying a deficiency in the contingent fund, created by the purchase of steam heating apparatus for the Union school building in said district.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 12, 1892.
249L

[House Bill No. 851.]

AN ACT

To authorize the trustees of Sandy township, Stark county, to sell certain cemetery grounds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That the trustees of Sandy township, Stark county, be and are hereby authorized to sell the unoccupied cemetery grounds now owned by said township, and purchase with the proceeds of the sale thereof a similar quantity of land in a suitable locality according to law; provided, that the sum realized from the sale of said cemetery grounds shall not be less than one thousand dollars.

SECTION 2. This act shall take effect from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS.
President of the Senate.

Passed April 12, 1892.
250L

[House Bill No. 857.]

AN ACT

To amend section one of an act entitled "An act to authorize the commissioners of Muskingum county to sell the Muskingum county railway."

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section one of "An act to authorize the commissioners of Muskingum county to sell the Muskingum county railway," passed March 16, 1887 (O. L., vol. 84, pages 372 and 373), be and the same is hereby amended so as to read as follows:

Sec. 1. That the board of commissioners of Muskingum county, Ohio, be and they are hereby authorized to sell and convey all the right, title and interest in and to the Muskingum county railway now owned by said county, with all and singular the appurtenances, appendages, works, conveniences, privileges and franchises thereunto in any manner belonging, and necessary or convenient in the use and operation of said railway, and all terminal facilities of said railway in the city of Zanesville in said county, and the right to use, operate, control and possess the same, at such price and upon such terms as to payment thereof as said commissioners may deem proper; but no transfer or conveyance of the property so sold shall be made until the purchase price thereof under such sale shall be fully paid; and such sale shall include all claims and demands including rents and interest in favor of said county remaining unpaid, which shall have accrued up to the day of sale as against the Bellaire, Zanesville and Cincinnati railway company, whether under a certain contract of lease between the trustees of said Muskingum county railway and the said Bellaire, Zanesville and Cincinnati railway company, dated September 5th, 1883, and recorded in the recorder's office of the said county in the record of leases, book No. 42, pages 238 and 239, or otherwise. Said railway and property may be sold at private sale or at public auction, as said commissioners may determine. Whatever shall be necessary on the part of said commissioners to complete such sale and the transfer thereunder, said board of commissioners is hereby fully empowered to do.

SECTION 2. That the proceeds arising from the sale and transfer of said railway and its appurtenances, appendages, works, conveniences, privileges and franchises when received shall be placed to the credit of the bridge fund of said Muskingum county.

SECTION 3 Said section one of said original act be and the same is hereby repealed.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 12, 1892.
251L

as also of the amounts to which each is entitled, and on his so doing take the receipt of the said school therefor, which receipt shall be and operate as a full and final release and discharge of the said George Harsh as the trustee aforesaid, as also of the sureties on his bond; and the same shall be by him at once filed in said court of common pleas, and there entered of record. Such record shall be evidence of the release and discharge. The fund shall, on receipt thereof by the charity school of Kendal, be by it held and invested in the manner prescribed by the statutes of Ohio for the investment of the moneys of wards in the hands of guardians apart from its other funds, and it shall pay out [of] the same, on demand, to its real claimants and owners, if any there now are, such parts thereof as they may severally show themselves entitled to; and it shall account for the fund, from time to time, along with its other funds, but without charge or deduction for the care thereof, except that it may itself have and use for its general school purposes as its own all the interest hereafter accruing and received thereon.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 13, 1892.
254L

[Senate Bill No. 305.]

AN ACT

To create a special school district in Darke county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the following described territory in Greenville township, Darke county, Ohio, to-wit: Commencing at the northwest corner of section twenty-seven (27), township twelve (12) north, range two (2) east; thence east along the north line of said section twenty-seven (27) and section twenty-six (26) of said township to the intersection of the Greenville and Beamsville turnpike; thence south along the line of said turnpike to a point directly west of the west end of the Requarth pike; thence east to the intersection of said Requarth pike and the east line of said section twenty-six (26); thence south along the east line of said section twenty six (26) and section thirty-five (35) of said township, and along the east line of section two (2), township eleven (11), range two (2) east, to the intersection of the half section line of said section two (2); thence west along the said half section line of section two (2) and the half section line of section three (3) of said township and range last named, to the half section line of said section three (3); thence north to the north line of said section three (3); thence west along the north line of said section three (3) to the northwest corner thereof; thence north along the west line of sections thirty-four (34) and twenty-seven (27) of said township twelve (12), range two (2) east, to the place of beginning; be, and the same is, hereby created and declared to be a special school district, to be known as the Greenville city special school district.

SECTION 2. All of the school property situated within said described territory shall belong to, and be the property of said Greenville city special

school district; and said district shall be entitled to receive its proportionate share of the school funds, and the funds levied for school-house and incidental expenses in said territory in accordance with the enumeration of youth who are entitled to attend school therein. And such enumeration shall be made as now required by law. The funds now collected for school purposes and now in the hands of the county or township treasurers, or in the hands of the treasurer of the board of education within said territory, shall be received and used for the same purposes by the board of education in said special school district hereinafter provided for. And taxes shall be levied in said special district in the manner provided by law for such districts.

SECTION 3. Within ten days after the passage of this act, the probate judge of said Darke county shall appoint six persons having the qualifications of electors in said territory, to be members of the board of education of said special school district; not more than three of whom shall belong to the same political party. Said members shall be appointed for the following terms, to-wit: Two for one year, two for two years, and two for three years from the third Monday of April, A. D. 1892. And thereafter there shall be elected annually in said territory on the first Monday of April, two members of said board of education who shall hold their offices for three years respectively from the third Monday of April immediately following their election. The members of said board shall be qualified and shall meet and organize in the manner now provided by law for boards of education in such districts, and they shall perform all the duties that may be by law enjoined upon such boards of education.

SECTION 4. The duties now devolving upon the board of education in said territory shall devolve upon, and be performed by, the board of education provided for in the last preceding section, immediately upon their qualification and organization as therein mentioned. But nothing in this act shall be so construed as to impair the obligations of any contracts entered into by the board of education now in said territory to be performed within the present school year.

SECTION 5 All special acts or laws now in force inconsistent with this act are hereby repealed.

SECTION 6. This act shall be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives

ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed April 14, 1892.
255L

[House Bill No. 330.]

AN ACT

To create a joint sub-school district in Ludlow and Liberty townships, Washington county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the territory described as follows, to wit: Sections numbered thirty-three (33) and thirty-four (34) in Ludlow township, and the east half (½) of section number four (4) and the northeast quarter (¼) of section number three (3) of Liberty township, Washington county, Ohio, be and the

same hereby is for school purposes constituted a joint sub-school district, with all the privileges, rights, powers and duties, and subject to all laws and conditions of joint sub-school districts established in pursuance of the Revised Statutes of Ohio.

SECTION 2. The school-house site for said joint subdistrict shall be the tract of land and the house thereon on the lands of William Hall, in section number thirty-three (33) in Ludlow township, heretofore used for school purposes.

SECTION 3. Said joint subdistrict shall have and receive its proportionate share of the school funds and the funds levied for school-house and incidental expenses in accordance with the enumeration of 1891, of children who are entitled to attend school, said funds being those now collected within the county or township treasuries, and shall in all respects be governed by such laws as now are or may hereafter be in force relating to joint sub-school districts not inconsistent with this act.

SECTION 4 The school in said joint sub-school district shall be under the control of and subject to the board of education of the township in which the school-house may be situated; and there shall be elected in the aforesaid joint sub-school district on the second Monday in April next, three local directors, one to serve for one year, one for two years, and one for three years, in the same manner as is provided by law.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 13, 1892.
256L

[House Bill No. 413.]

AN ACT

To authorize the commissioners of Hamilton county to build a bridge and approaches across the west fork of Millcreek, and to issue bonds therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Hamilton county, Ohio, be and they are hereby authorized and directed to build a suitable and substantial iron bridge and approaches thereto across the west fork of Millcreek in said county, on Llewellyen street, between Dreman and Rawlston avenues; and said commissioners shall make a levy for that purpose upon all the taxable property upon the duplicate of said Hamilton county, Ohio, not exceeding one one hundred and eightieth ($\frac{1}{180}$) of a mill annually, in addition to the amount now authorized by law, during the period the bonds hereinafter provided for have to run, and shall certify the same to the county auditor on or before the first Monday of June of each and every year.

SECTION 2. That the commissioners of said county, in anticipation of said tax to be levied, are hereby authorized and directed, and they shall make and issue within ten days from the passage of this act, the bonds of said county to the amount of thirteen thousand dollars, having ten years to run.

SECTION 3. Said bonds shall be issued in such sums as said board of county commissioners shall determine, and made payable ten years from the date thereof, and shall bear interest at a rate not exceeding five per centum per annum, payable semi-annually, and shall be signed by the commissioners of said county, or any two of them, and countersigned by the county auditor. Said bonds shall not be sold for less than their par value, after advertising for bids for not less than ten days, which said advertisement shall be inserted in a newspaper of general circulation in the city of Cincinnati within ten days of the issuance of said bonds.

SECTION 4. The proceeds arising from the sale of said bonds shall be used in constructing said bridge, substructure and superstructure, together with the necessary approaches thereto, and for no other purpose whatsoever. Nor shall any part of said money arising from the sale of said bonds be transferred to any other funds or be diverted from the object expressed herein.

SECTION 5. The said board of county commissioners are hereby authorized and directed to prepare plans and specifications for said bridge, and to make contracts for the construction of the same immediately upon the sale of said bonds.

SECTION 6. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 13, 1892.
257L

[House Bill No. 663.]

AN ACT

To authorize the city of Xenia, Greene county, Ohio, to issue bonds for the purpose of enabling said city to open, extend and improve Monroe street, in said city.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That to enable the city of Xenia, in Greene county, Ohio, to open, extend and improve Monroe street, in said city, and to construct the necessary bridges over Shawnee run, and the Pittsburgh, Cincinnati, Chicago and St. Louis railway, on said street, the council of said city be and hereby is authorized to provide by ordinance for issuing bonds of said city in a sum not exceeding eight thousand ($8,000) dollars, bearing interest at a rate not exceeding five and one-half per cent. per annum from date of issue, payable annually, for the purposes of such improvement.

SECTION 2. Said bonds shall be signed by the mayor and countersigned by the clerk of said city; shall be issued in such amounts respectively as will, in the judgment of the council, best subserve the sale thereof, and at such times and in such sums as may be deemed necessary to the progress of said improvement. Said bonds shall be sold at not less than par value, and the principal shall be payable at such times as the council of said city may determine by ordinance, within a period not exceeding fifteen years. The proceeds arising from the sale of the said bonds

shall be applied to the said improvement, and to be used for no other purpose other than herein provided.

SECTION 3. The council of said city is hereby authorized to levy a sufficient tax to meet any indebtedness incurred under this act, of principal and interest.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 13, 1892.
258L

[House Bill No. 748.]

AN ACT

To authorize the trustees of Fairfield township, Huron county, Ohio, to pay certain costs and expenses heretofore incurred in an action arising under the election laws of this state.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of the township of Fairfield, in the county of Huron, be and they are hereby authorized to pay out of the general fund of said township any sum not exceeding ninety-five dollars and twenty-seven cents ($95.27) to defray the costs and expenses heretofore incurred in an action brought against the trustees of said township arising under the election laws of this state.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 13, 1892.
259L

[House Bill No. 757.]

AN ACT

To authorize the board of education of the village of Somerset school district, Perry county, Ohio, to issue bonds to roof and repair school building.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of Somerset school district, Perry county, is hereby authorized and empowered to issue bonds, not to exceed one thousand dollars ($1,000), for the purpose of roofing and repairing the school-house in the village of Somerset, Perry county, Ohio; said bonds to be in such denominations, and payable at such times and place, as said board of education may think best, and shall bear interest at the rate not exceeding six per cent. per annum, payable semi-annually, and shall

not be sold at less than their par value. The proceeds of said bonds shall be paid into the treasury of said school board, and said board of education is hereby authorized and empowered to levy a tax, annually, sufficient to pay the accruing interest on bonds and provide a sinking fund for the redemption of said bonds as they become due. Said levy, if necessary, may be in addition to the limitation now imposed by law, provided that this act be submitted to a vote of the electors of said district, and if a majority of all votes cast at said election be in favor of it, then it shall be in full force and effect; otherwise it shall be null and void.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 13, 1892.
260L

[House Bill No. 759.]

AN ACT

To authorize the township trustees of Monroe township, Perry county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the township trustees of Monroe township, Perry county, Ohio, be and are hereby authorized and empowered to transfer from the poor fund of said township any sum not exceeding eight hundred ($800.00) dollars to the road fund of said township.

SECTION 2. This act shall be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 13, 1892.
261L

[House Bill No. 765.]

AN ACT

To transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Adelphi, Ross county, Ohio, be and are hereby authorized to transfer the sum of two hundred and thirteen dollars and eighty-six cents ($213 86) from the police fund to the public building fund, and eleven dollars and fourteen cents ($11.14) from street light fund to public building fund of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 13, 1892.
262L

[House Bill No. 766.]

AN ACT

To transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the city council of the city of Chillicothe, Ross county, Ohio, be and are hereby authorized to transfer the sum of seven hundred dollars from the police fund of said city to the bridge fund of said city.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 13, 1892.
263L

[House Bill No. 775.]

AN ACT

To authorize the commissioners of Tuscarawas county, Ohio, to issue the bonds of said county for the purposes herein mentioned, and to levy a tax for the redemption thereof.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of commissioners of Tuscarawas county, Ohio, are hereby authorized to construct a bridge across the Tuscarawas river and Ohio canal at such point within the incorporated limits of the village of Dover, in said county, as in their judgment may be deemed most for the public good; and a plan shall be determined upon, and the contract let according to law, which contract shall require the construction of said bridge to be completed as soon as practicable, at a cost not to exceed twenty thousand ($20,000.00) dollars.

SECTION 2. That the board of commissioners of said county, for the purpose of building said bridges, are hereby authorized and empowered to issue the bonds of Tuscarawas county for an amount not exceeding twenty thousand ($20,000.00) dollars, which said bonds are to be made payable not to exceed ten years from the date of the issue thereof, and shall bear interest at the rate not to exceed six per cent. per annum, payable semi-annually. Said bonds shall be known as the "Tuscarawas county bridge bonds," and shall not be sold for less than their par value, and the proceeds

arising from the sale thereof shall not be applied to any other than bridge purposes; and said commissioners are further authorized and empowered to levy a tax on all the taxable property on the tax duplicate of said county, to pay said bonds as they mature, together with the interest thereon.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed April 14, 1892.
264L

[House Bill No. 778.]

AN ACT

To authorize the county commissioners of Williams county, Ohio, to transfer funds from the county ditch fund to the all-county ditch fund.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Williams county, Ohio, be and are hereby authorized to transfer forty-five hundred ($4,500) dollars from the county ditch fund to the all-county ditch fund.

SECTION 2. This act shall take effect from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 13, 1892.
265L

[House Bill No. 824.]

AN ACT

To authorize the commissioners of Franklin county, Ohio, to grade and improve the road leading from Hilliard to the township and village cemetery in Norwich township in said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Franklin county, Ohio, be and they are hereby authorized to grade and improve the road leading from the corporation line of the village of Hilliard to the township and village cemetery in Norwich township in said county.

SECTION 2. For the purpose of raising money to defray the expenses of grading and improving said road, said commissioners are hereby authorized and empowered to issue and sell the bonds of said Franklin county according to law, bearing interest at a rate of six per cent. per annum, payable semi-annually, and not to exceed in the aggregate the sum of five thousand dollars; and said commissioners are further authorized and empowered to levy a tax on all the property on the tax duplicate of said county to pay said bonds as they mature and interest thereon, at such rate and for such length of time as may be necessary.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 13, 1892.
266L

[House Bill No. 832.]

AN ACT

To authorize the commissioners of Preble county, Ohio, to levy a tax for the purpose of paying an existing indebtedness of the Preble county agricultural society.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Preble county, Ohio, be and they are hereby authorized and directed to levy a tax, in addition to that authorized by law, on all the taxable property of said county for the years of 1892, 1893 and 1894 of one-tenth of one mill on the dollar; the money so realized to be credited to a fund to be designated "the Preble county agricultural society fund," and used in paying an existing indebtedness of $3,810 and accruing interest, incurred by said agricultural society in erecting buildings and other improvements upon the fair grounds, the title to which grounds is vested in said county.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 13, 1892.
267L

[House Bill No. 846.]

AN ACT

To authorize the village council of the village of Ada, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the village council of the village of Ada, Ohio, be and the same is hereby authorized to transfer the following sum of money: Six hundred dollars from the marshal and police fund to the sinking fund of said village.

SECTION 2. This act shall take effect on its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 13, 1892.
268L

[House Bill No. 848.]

AN ACT

To authorize the village of West Liberty, Logan county, to issue bonds for the construction of an electric light plant.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of West Liberty, Logan county, Ohio, be and is hereby authorized to issue bonds of said village in any sum not to exceed nine thousand dollars, for the purpose of constructing an electric light plant for lighting the streets and public buildings of said village, and furnishing the same to the citizens thereof, at such prices as said council may deem proper; said bonds shall bear interest not exceeding six per cent. per annum, payable annually, and sold for not less than their par value.

SECTION 2. That the powers herein conferred shall in no case be exercised by the council of such village until authorized by the vote of the qualified electors of such village taken at a general or special election held therein. That for the purpose of submitting such proposition to a vote of such electors the clerk of such village shall give notice of the time of holding such election, which shall be published in all the newspapers published in such village at least ten days prior to the day of holding such election. Such election shall be held at the usual place of holding elections and by the officers authorized to preside at elections in such village. The poll-books and tally-sheets of such election shall be forthwith returned to the clerk of said village, who with the mayor of such village shall, at any regular or special meeting of the village council, and in the presence of a quorum of such council, proceed to canvass such vote, and the village clerk shall record the number of votes cast for such proposition and the number of votes against such proposition in such village; and if it appear by the returns of such election that two-thirds of all voters voting at such election have voted in favor of such proposition, such village council shall be authorized to exercise the powers conferred by this act, and if two-thirds of such electors voting at such election shall not have voted in favor of such proposition, such council shall not exercise the powers conferred by this act. The ballots voted at such election shall have written or printed thereon the words, "For the issue of electric light bonds—Yes," and those against, "For the issue of electric light bonds—No."

SECTION 3. Said council is hereby authorized to levy a tax sufficient to pay said bonds and the interest which may accrue thereon in addition to that now authorized by law on all the taxable property of said village.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 13, 1892.
269

[House Bill No. 853.]

AN ACT

To authorize the board of county commissioners of Defiance county, Ohio, to levy a tax of one mill annually upon all the taxable property of said county in addition to the taxes now authorized by law, for the ordinary county purposes of said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of county commissioners of Defiance county, Onio, be and said board of commissioners is authorized to levy upon all the taxable property of said county a tax of one mill annually in addition to the taxes now authorized by law, for the ordinary county purposes of said county.

SECTION 2. This act shall be in force and take effect from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives
ANDREW L. HARRIS,
President of the Senate.

Passed April 13, 1892.
270L

[House Bill No 867.]

AN ACT

To detach certain territory from subdistrict number thirteen, Berne township, and to attach the same to subdistrict number one, Madison township, Fairfield county, for school purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following described territory in Berne township, Fairfield county, Ohio, to-wit: Being in sub-school district number thirteen, township thirteen, range eighteen, sections six and seven, bounded as follows: By beginning at a point in the north line of said section six, which is at the northeast corner of the M. A. Swain farm in said section; thence south across said sections six and seven to the Hocking county line; thence west with said county line to the southwest corner of said section seven; thence north with the township and section line to the northwest corner of section six; thence east with the section line to the place of beginning, be and the same is hereby detached from said sub-school district number thirteen, Berne township, and the same is hereby attached to sub-school district number one, in Madison township, Fairfield county, Ohio, for school purposes.

SECTION 2. This act shall take effect upon its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 13, 1892.
2711.

[House Bill No. 848.]

AN ACT

To authorize the village of West Liberty, Logan county, to issue bonds for the construction of an electric light plant.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of West Liberty, Logan county, Ohio, be and is hereby authorized to issue bonds of said village in any sum not to exceed nine thousand dollars, for the purpose of constructing an electric light plant for lighting the streets and public buildings of said village, and furnishing the same to the citizens thereof, at such prices as said council may deem proper; said bonds shall bear interest not exceeding six per cent. per annum, payable annually, and sold for not less than their par value.

SECTION 2. That the powers herein conferred shall in no case be exercised by the council of such village until authorized by the vote of the qualified electors of such village taken at a general or special election held therein. That for the purpose of submitting such proposition to a vote of such electors the clerk of such village shall give notice of the time of holding such election, which shall be published in all the newspapers published in such village at least ten days prior to the day of holding such election. Such election shall be held at the usual place of holding elections and by the officers authorized to preside at elections in such village. The poll-books and tally-sheets of such election shall be forthwith returned to the clerk of said village, who with the mayor of such village shall, at any regular or special meeting of the village council, and in the presence of a quorum of such council, proceed to canvass such vote, and the village clerk shall record the number of votes cast for such proposition and the number of votes against such proposition in such village; and if it appear by the returns of such election that two-thirds of all voters voting at such election have voted in favor of such proposition, such village council shall be authorized to exercise the powers conferred by this act, and if two-thirds of such electors voting at such election shall not have voted in favor of such proposition, such council shall not exercise the powers conferred by this act. The ballots voted at such election shall have written or printed thereon the words, "For the issue of electric light bonds—Yes," and those against, "For the issue of electric light bonds—No."

SECTION 3. Said council is hereby authorized to levy a tax sufficient to pay said bonds and the interest which may accrue thereon in addition to that now authorized by law on all the taxable property of said village.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 13, 1892.
269L

the county, a sum sufficient to pay the same, in addition to all other taxes authorized by law; said levy not to exceed two-tenths of one mill on the dollar, in any one year.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 13, 1892.
273L

[House Bill No. 892.]

AN ACT

To authorize the commissioners of Seneca county, Ohio, to levy a tax for general county purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Seneca county, Ohio, be and are hereby authorized in the years 1892, 1893, 1894, 1895 and 1896 to levy a tax on all the taxable property of said county for general county purposes an amount not exceeding six-tenths ($\frac{6}{10}$) of one mill each year, in addition to the amount now authorized to be levied for said purposes, the same to be entered upon the grand duplicate of said county, and collected in the same manner as other taxes are collected.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 13, 1892.
274L

[House Bill No. 894.]

AN ACT

To authorize the county commissioners of Seneca county, Ohio, to build an armory in the city of Fostoria.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That [the] county commissioners of Seneca county, Ohio, be and they are hereby authorized and empowered to build an armory in the city of Fostoria, Seneca county, Ohio, on any site that said commissioners may determine upon, and for the purpose of raising the money to build said armory and the necessary appurtenances thereto, said commissioners are hereby authorized and empowered to levy a tax not to exceed three-tenths of a mill on all the taxable property of said county, and issue the bonds of said county, not to exceed six thousand dollars, and in amounts of not less than one hundred dollars, nor more than one thousand dollars each; and said bonds shall be payable at such times as said commissioners may

deem most advantageous, not exceeding 5 years from the date of their issue, and said commissioners are authorized to negotiate and sell said bonds at not less than par value; but the interest on said bonds shall not exceed six per cent. per annum.

SECTION 2. Said bonds shall be signed by the county commissioners and countersigned by the auditor of said Seneca county, who shall keep a record of all bonds issued under and by virtue of this act.

SECTION 3. This act shall take effect on its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 13, 1892.
275L

[House Bill No. 901.]

AN ACT

To authorize the village of Shreve, Wayne county, to borrow money and issue bonds therefor, for the purpose of general improvements.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of Shreve, in the county of Wayne, Ohio, be and the same is hereby authorized to issue the bonds of the said village, not exceeding $15,000.00, as hereinafter provided, for the purposes of general improvements.

SECTION 2. Said bonds shall be of such denominations, payable at such times, and bear interest at the rate per cent., not exceeding 6 per cent., payable semi-annually, as the council of said village may direct, but said bonds shall not be sold for less than their par value.

SECTION 3. For the purpose of paying said bonds and the interest thereon as the same may become due, the said council is hereby authorized to levy a tax on all the taxable property of said village in addition to that authorized by law, to such amount each year as shall be necessary to the payment of the principal and interest of said bonds.

SECTION 4. Before the said council shall have authority to issue said bonds and levy said tax, the question of such issue and levy shall first be submitted to the voters of said village, at a regular or special election held for that purpose, such election to be held in the same manner and at the places where elections are usually held in said village, notice thereof to be given by publication in a newspaper printed and of general circulation in said village for two consecutive weeks prior to said election; those electors who favor the issue of such bonds and the levy of such tax shall have on their ballots the words, "Issue of general improvement bonds—Yes," and those opposed to such issue and levy shall have on their ballots the words, "Issue of general improvement bonds—No;" and if a majority of the votes cast at such election are in favor of the issue of such bonds, the council of such village shall be authorized to issue said bonds and make said levy for the purpose aforesaid.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 13, 1892.
276L

[House Bill No. 920.]

AN ACT

To authorize the council of the incorporated village of Quaker City, Guernsey county, Ohio, to issue bonds for the general improvement and benefit of said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Quaker City, Guernsey county, Ohio, be and is hereby authorized to borrow not to exceed ten thousand ($10,000) dollars to be applied to the grading and macadamizing of the public streets, and other improvements of said village.

SECTION 2. That for the purpose of meeting the expenses aforesaid, the said council of the incorporated village of Quaker City, Ohio, is authorized to issue bonds, to be signed by the mayor, and attested by the clerk of said village, in denominations, not less than two hundred ($200) dollars, and not more than one thousand ($1,000) dollars, bearing interest at a rate, not to exceed six per centum per annum, payable semi-annually; said bonds to be payable at such time or times not exceeding thirty years from the respective dates thereof as said council may determine, which said bonds shall not be sold for less than their par value, and accrued interest, and to be sold without compensation or commission, and said bonds may, in the discretion of said council, have interest coupons attached, and said bonds and interest shall be payable at the village of Quaker City, Ohio.

SECTION 3. That for the purpose of paying said bonds and the interest thereon, as the same shall become due, the said council is hereby authorized and empowered to levy on all the taxable property of said village of Quaker City, Guernsey county, Ohio, a tax for such an amount annually, not exceeding two mills in addition to taxes now authorized by law to be levied, which levy shall be placed on the duplicate by the auditor of said county, collected as other taxes, and when collected paid over to the treasurer of said village.

SECTION 4. That before any contract shall be made, indebtedness contracted, or bonds issued, the question shall be submitted to a vote of the qualified electors of the said village of Quaker City, Ohio, at a municipal or general election, or at a special election that may be called for that purpose by said council, of which election, ten days' notice shall be given by the mayor by publication in a newspaper of general circulation in said village, and by posting in five public places. And if a majority of the vote cast at such election be in favor of issuing said bonds, then the council of said village shall be authorized to issue said bonds, and levy said tax as herein provided. Those voting in favor of the issue of said bonds, shall have written or printed on their ballots, the words, "For

the issue of bonds—Yes," and those voting against the issue of said bonds shall have written or printed on their ballots the words, "For the issue of bonds—No."

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 13, 1892.
277L

[House Bill No. 231.]

AN ACT

To divide Latty township, Paulding county, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the township of Latty, in the county of Paulding, be and the same is hereby divided into two election precincts, as follows: That all the territory included within sections one (1), two (2), eleven (11), twelve (12), thirteen (13), fourteen (14), twenty-three (23), twenty-four (24), twenty-five (25), twenty six (26), thirty-five (35) and thirty-six (36) in said township shall constitute and be called the Grover Hill precinct in said township, and elections shall be held at Grover Hill, in said precinct and township That all the territory included within sections three (3), four (4), five (5), six (6), seven (7), eight (8), nine (9), ten (10), fifteen (15), sixteen (16), seventeen (17), eighteen (18), nineteen (19), twenty (20), twenty-one (21), twenty two (22), twenty-seven (27), twenty-eight (28), twenty-nine (29), thirty (30), thirty-one (31), thirty-two (32), thirty-three (33) and thirty-four (34), in said township, shall constitute and be called the west precinct in said township, and elections shall be held in said precinct and township.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 15, 1892.
278L

[House Bill No. 233.]

AN ACT

To authorize the board of education of the Shawnee village school district to borrow money for the purpose of paying debts against the property of said district.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the Shawnee village school district, Perry county, be authorized to issue bonds in any amount not exceeding $7,000.00; said bonds to mature within ten years, bear interest not greater than six

per cent., payable annually, sold at private or public sale as board may direct, and at not less than par value.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 15, 1892.
279L

[Senate Bill No. 236.]

AN ACT

To create a special school district at Chippewa Lake in Medina county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the following described territory, to-wit: Beginning at the southeast corner of the township of Lafayette in said county, thence north on the east line of said township to the south line of twenty acres of land in lot No. 6 owned by C. C. Kennedy, thence west on said Kennedy's south line and on the south line of land belonging to estate of William Huffman, deceased, to the northeast corner of land belonging to Bradley Chamberlain, thence south on the east line of said Chamberlain's land and land owned by A. S. Arnold to the northeast corner of land owned by I. H. Rickard, thence west on said Rickard's north line to highway, thence north on said highway to the northeast corner of land owned by T. C. Laughlin, thence west along the north line of said Laughlin's land and north line of land owned by W. A. and E. Cotner to the northeast corner of land owned by N. G. Wightman, thence south along the east line of Wightman's land and along the east line of land owned by R. O. Wheeler to the center of the highway, thence east along the center of said highway to the center of Chippewa ditch, thence southeasterly along the center of said ditch to the margin of Chippewa lake, thence along the west margin of said lake to the south line of said township of Lafayette, thence east on said township line to the place of beginning, shall be and the same is hereby created and declared to constitute a special school district to be known as Chippewa Lake special school district.

SECTION 2. All the school property situate within said described territory shall belong to and be the property of said special school district; and said district shall be entitled to receive the proportionate share of the school funds and funds for school-house and incidental expenses belonging to sub-school district number eight, in said Lafayette township, for the current school year.

SECTION 3. The board of education of said special school district is hereby authorized and empowered to make and furnish such addition to the school-house now in said district as it may deem proper, at an expense not to exceed eight hundred dollars ($800), for which purpose said board is hereby authorized to issue and sell the bonds of said district for such amount. The bonds may be of such denomination as the board may determine, with interest at a rate not to exceed six per cent. per annum, payable semi-annually, and payable in not more than ten years from the

said bonds as the same shall become due, said board is hereby authorized to levy such a tax as may be necessary on all the taxable property in said district.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 15, 1892.
280L

[Senate Bill No. 299.]

AN ACT

To enable the board of education of Deer Creek township, Pickaway county, Ohio, to borrow money and build a school-house in the Williamsport district.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of Deer Creek township, Pickaway county, be and is hereby authorized and empowered to levy a tax upon all the taxable property of the township, not exceeding in the aggregate four thousand dollars ($4,000), in addition to other levies for the support of the schools of the township, for the purpose of building a school-house in the village of Williamsport, in said township; provided that before said tax is levied, the village school district of Williamsport shall be abandoned and become a subdistrict of said township, in accordance with the provisions of sections 3926 and 3927 of the Revised Statutes, for the abandonment of special school districts.

SECTION 2. That in anticipation of the levy as herein provided, the said board of education be and is hereby authorized and empowered to borrow any sum of money, not exceeding four thousand dollars ($4,000) upon such terms as may be deemed for the best interest of the township, at a rate of interest not exceeding six per cent. per annum, or may issue bonds for the amount, in such denominations and for such length of time as the board may deem expedient, at a rate of interest not exceeding six per cent per annum.

SECTION 3. That in case the said village district of Williamsport is abandoned, as herein provided, the directors of said village district shall be permitted to retain the present graded school, therein located, and make such additional improvements thereto as may be necessary, and the board of education of said Deer Creek township, shall annually levy an amount sufficient for the support of said graded school; and all resident youth within said township, qualified to enter said graded school, shall be received upon the same terms as if resident, within said village and district.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 15, 1892.
281L

[House Bill No. 745.]

AN ACT

To authorize the trustees of Columbia township, Hamilton county, Ohio, to construct a sidewalk on the Madisonville road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Columbia township, Hamilton county, Ohio, are hereby authorized to construct a sidewalk on the east side of the Madisonville road from its intersection with the north corporation line of the city of Cincinnati to Oakley avenue, a distance of about six thousand feet, or along any part thereof.

SECTION 2. Said sidewalk shall be constructed on the east side of said Madisonville road, and of such material as said trustees shall determine; there shall be crossings on the intersecting streets, which shall be constructed of two (2) rows of flag stones laid parallel with each other. Said trustees shall advertise for proposals to construct said sidewalks, and shall award the contract for the same to the lowest bidder, who shall furnish good and sufficient surety for the faithful performance of said work. Ten (10) days' notice shall be given by advertisement for said proposals, and the sale of the bonds under this act; a like notice shall be given of the levying of the assessments; all notices to be by publication in a newspaper of general circulation in the county. Said trustees shall employ a competent engineer, who shall prepare plans and specifications and make an estimate of the total cost of said improvement, which shall include the necessary expenses to be incurred by said trustees, together with an allowance not to exceed twenty-five dollars to each of said trustees.

SECTION 2*a*. In the part of said road occupied by an electric railroad track, the said trustees are hereby authorized to widen said part of said road by purchasing a strip ten feet in width along the east side thereof, for the purpose of obtaining the necessary width to construct said walk. Should said trustees fail to agree with the owners as to the value of said strip, then they shall appoint three disinterested freeholders of the county as viewers. The trustees shall forthwith notify the viewers of the time and place of their meeting to fix the compensation to be awarded the owners, and shall also give notice to the owner and by publication in a newspaper printed in the county, for three consecutive weeks prior to the meeting, which notice shall state the time and place of meeting, a description of the ground to be appropriated and the names of the owners of the same as they appear upon the tax duplicate. The viewers shall proceed to assess and determine the damages sustained by any person whose ground is taken; but they shall not be required to assess damages to any person except minors, idiots or lunatics, in consequence of the appropriation of the private property in widening said part of said road, unless the owner thereof, or his agent, file a written application with the viewers prior to the time of meeting, giving a description of the premises on which damages are claimed by them, and all applications for damages shall be barred unless they are presented as herein required, and any person feeling aggrieved by the assessment of damages made may demand of the trustees to have same assessed by a jury, in which case the claimant may appeal to the probate court of the county and the same proceedings shall there be had as are provided in chapter 4, title 7, part 2d, of the Revised Statutes of Ohio; but the guardian of any minor, idiot or insane person may act for his ward and all his acts shall be binding upon said ward.

SECTION 3. Two-thirds of the cost and expense of constructing said improvement, together with the interest on the bonds issued by the trustees for the same, shall be levied and assessed upon each front foot of the lots and lands abutting on the east side of such road between the points named in section one (1) hereof; and one-third shall be levied and assessed upon each front foot of the lots and lands abutting on the west side of such road, between the points named in section one (1) hereof, excepting intersecting streets upon both sides thereof; said trustees are hereby authorized to construct a sidewalk upon the west side of said road, when they shall deem it necessary, and make the assessment therefor in the same way as herein provided for the construction of the walk upon the east side of said road. Said assessment shall be a lien from the date of the assessment upon the respective lots or parcels of lands to be assessed, and shall be payable in three annual payments, and shall be paid to the county treasurer as other taxes are paid. The option of paying his portion of said assessment in full for a period of thirty days from the date of the levy thereof, shall be given to each property owner, but no notice to the property owners of such option shall be necessary.

SECTION 4. For the purpose of raising money necessary to meet the expense of said improvement, the trustees of Columbia township are hereby authorized and directed to issue the bonds of the township to an amount not exceeding six thousand dollars payable in installments, or at intervals, not exceeding in all the period of three years, bearing interest at the rate of six per centum per annum, payable semi-annually, which bonds shall not be sold for less than their par value.

SECTION 5. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,
Speaker pro tem. of the House of Representatives.

ANDREW L. HARRIS,
President of the Senate.

Passed April 15, 1892.
282L

[House Bill No. 784.]

AN ACT

To authorize the village of Bedford, Cuyahoga county, Ohio, to issue bonds for water-works.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the village council of the village of Bedford, Cuyahoga county, Ohio, be and the same is hereby authorized and empowered to issue the bonds of said village in any sum not exceeding $15,000.00, and bearing interest at the rate of six per cent. per annum, payable semi-annually, and to be of such denominations as the council of said village shall prescribe, and payable at any time and place fixed by said council; provided, the time shall not exceed twenty years, and the proceeds of the said bonds shall be used for the purpose of constructing a system of water-works in and for said village of Bedford.

SECTION 2. If any bonds of said village be issued as hereinbefore provided, it shall be the duty of the council of said village annually thereafter, until the said bonds and the interest thereon is fully paid, to assess and levy a tax on all the taxable property of the corporation, in addition to other taxes now authorized by law, sufficient to provide for the payment of said bonds as they fall due, with interest accruing thereon. All earnings from said water-works, after deducting current expenses, shall be paid into the sinking fund and used for the extinguishment of said indebtedness.

SECTION 3. Before said bonds are issued the village council shall submit the proposition to issue said bonds and construct said water-works system to the electors of said village at some general or special election and the form of the ballot shall be as follows: Those in favor of the construction of water-works and the issuing of said bonds shall have written or printed on their ballots, "Water-works—Yes;" those opposed to the construction of water-works and the issuing of said bonds shall have written or printed on their ballots, "Water-works—No." The election shall be held in accordance with the election laws of the state, but the poll-book and returns thereof shall be made to the village clerk, who shall present them to the council when the same shall be opened and canvassed, and the result declared and entered upon the minutes of said council, and if it shall appear that the majority of the ballots cast at such election were in favor of water-works and the issuing of said bonds, then the council shall proceed to issue such bonds, and not otherwise.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 15, 1892.
283L

[House Bill No. 798.]

AN ACT

To authorize the commissioners of Mercer county to provide stable-room for a sufficient number of horses necessary in the performance of the official duties of the sheriff of said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Mercer county be and they are hereby authorized to provide stable-room for a sufficient number of horses necessary in the performance of the official duties of the sheriff of said county.

SECTION 2. This act shall take effect from its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 15, 1892.
284L

[House Bill No. 830.]

AN ACT

To authorize the cemetery trustees of "Pleasant cemetery," near Mt. Sterling, Ohio, to purchase, or appropriate, land and erect buildings thereon.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of "Pleasant cemetery," near Mt. Sterling, Ohio, be and are hereby authorized to purchase, or appropriate, under such proceedings as are provided for the appropriation of property to the use of corporations, not to exceed one acre of ground adjacent to said cemetery and to erect a dwelling-house and other buildings thereon, for the use of the sexton of said cemetery, not to exceed fifteen hundred dollars.

SECTION 2. The trustees of Pleasant township, Madison county, and the trustees of Darby township, Pickaway county, may levy a tax in their respective townships to pay for said land and buildings.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 15, 1892.
285L

[House Bill No. 869.]

AN ACT

To amend section 1 of an act entitled "An act to authorize the commissioners of Fairfield county, Ohio, to levy a tax for the improving, grading and graveling of the road running from a road near Lancaster to Clearport, in said county," and passed April 14th, 1888.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 1 of said original act, as passed April 14th, 1888, be amended so as to read as follows:

Sec. 1. That the county commissioners of Fairfield county, Ohio, be and they are hereby authorized, empowered and directed, to assess and collect upon the general tax levy of all the taxable property of said Fairfield county, a tax not to exceed three-tenths of one mill on each dollar valuation thereof, which shall be applied by and under the direction of said county commissioners in improving, grading and graveling the old "state road" from a point where it intersects the road leading from Lancaster to the boys' industrial school; thence westerly through Hamburg, to where it intersects the road lying west of and adjoining the land of Jacob Kerns and thence to Clearport.

SECTION 2. Said original act is hereby repealed and this act shall take effect on its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 15, 1892.
286L

[House Bill No. 873.]

AN ACT

To authorize the trustees of Painesville township, Lake county, Ohio, to issue bonds and levy a tax for the improvement of certain roads in said township.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Painesville township, Lake county, be and they are hereby authorized to improve and macadamize the road leading from Painesville to Fairport known as the old plank road, also the road leading from Painesville to Richmond in said township.

SECTION 2. To provide for the payment of making said road improvements, the trustees of said Painesville township, be and they are hereby authorized to issue the bonds of said township, not to exceed six thousand dollars ($6,000.00), which bonds shall not be sold for less than their par value, and shall bear interest at a rate not to exceed six per cent. per annum from date of issue, payable semi-annually. The principal of such bonds shall be payable at such times and places as the trustees of said township may determine, within a period not exceeding ten years, and shall be adjusted and sold according to law.

SECTION 3. This act shall take effect and be in force from and after its passage.

ELVERTON J. CLAPP,
Speaker pro tem. of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 15, 1892.
287L

[House Bill No. 885.]

AN ACT

To transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That any moneys coming into the treasury of the village of Medina, Medina county, collected as taxes for the years 1887, 1888, 1889, 1890 and 1891, under the provisions of section 2781 of the Revised Statutes, to the credit of the general fund or other funds of said village, is hereby authorized to be transferred by the council of said village to the street improvement fund of said village.

SECTION 2. This act shall take effect on its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 15, 1892.
288L

[House Bill No. 896.]

AN ACT

To authorize the trustees of Bazatta township, Trumbu
the purpose of paying to the village of Cortland,
taken from them by the said trustees through mist

SECTION 1. *Be it enacted by the General A*
That the trustees of the township of Bazatta,
of Ohio, are hereby authorized and empowere
to that already provided for by law, not to ex
upon each dollar of real and personal proper
said township of Bazatta and outside of the
purpose of paying to said village the sum of
dollars; that said trustees are authorized to
sum of five hundred and fifty-seven dollars
provisions of this act for said additional one
already provided for, shall become null and

SECTION 2. The trustees of such towns
pay to the treasurer of the village of Cortlan
lected from the levy herein provided for, and
therefor until the whole of said sum of five
lars is fully paid.

SECTION 3. This act shall take effect fr

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Speaker

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Passed April 15, 1892.
289L

[House Bill No. 89

AN ACT

To authorize the trustees of Salem township, Tuscar

SECTION 1. *Be it enacted by the Genera*
That the trustees of Salem township, Tusc
they are hereby authorized to transfer s
from the township fund to the road fund o

SECTION 2. This act shall take effect a
its passage.

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Speake

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Passed April 15, 1892.
290L

[House Bill No. 903.]

AN ACT

To change the name of George Parker Hugus.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the name of George Parker Hugus, a resident of Hamilton county, Ohio, be and the same is hereby changed to that of George Parker, jr.

SECTION 2. That said change shall in no way affect the rights, privileges or liabilities of said person.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 15, 1892.
291L

[House Bill No. 904.]

AN ACT

Supplementary to an act entitled "An act to authorize the incorporated village of Bridgeport, Ohio, to issue bonds for the purpose of constructing a system of water-pipes and tanks for supplying water to said village," passed April 3d, 1889 (Ohio laws, volume 86, page 594).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following be and the same is hereby enacted as supplementary to the act entitled "An act to authorize the incorporated village of Bridgeport, Ohio, to issue bonds for the purpose of constructing a system of water-pipes and tanks for supplying water to said village," passed April 3d, 1889 (Ohio laws, volume 86, page 594): To pay for completing the system of water-pipes and tanks already being constructed in pursuance of the act to which this is supplementary, the incorporated village of Bridgeport, Ohio, is hereby authorized to issue bonds of said village in the sum not exceeding six thousand dollars (additional to the $25,000 00 heretofore authorized), in denominations not less than one hundred dollars nor more than one thousand dollars, bearing interest at a rate not exceeding six per cent. per annum, payable semi annually, and redeemable at such time as council may by ordinance prescribe, not more than forty years from date.

SECTION 2. Said bonds shall be signed by the mayor and countersigned by the clerk of said village, and shall not be sold for less than their par value, and may be sold at such times and in such amounts from time to time, as will best subserve to carry out the purpose for which they are issued.

SECTION 3. If any bonds of said village be issued as hereinbefore provided, it shall be the duty of the council of said village, and said council is hereby authorized, annually thereafter, until the same and the interest thereon shall be paid, to levy a tax on all the taxable property of said village sufficient to provide for the payment of the interest accru-

ing on the bonds so issued, and to create a sinking fund for the payment of the principal of the bonds as they may fall due.

SECTION 4 The question of issuing such bonds shall be submitted to the vote of the qualified electors of said village, at a general or special election held in said village, of which fifteen days' notice shall be given by publication in a newspaper of general circulation in said village, and notices posted in fifteen of the most public places in said village. Those in favor of completing said system of water-works, pipes and tanks, and issuing said bonds, shall vote "Completing water-works, pipes and tanks —Yes." And those opposed to completing said system of water-works, pipes and tanks and issuing said bonds, shall vote "Completing water-works, pipes and tanks—No." If a majority of the votes cast at said election are in favor of completing said system of water-works, pipes and tanks and the issue of said bonds, then the council shall proceed to issue said bonds, and not otherwise.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 15, 1892.
292L

[Senate Bill No. 276.]

AN ACT

To amend sections 3, 4 and 5 of an act entitled "An act to incorporate the Cincinnati college," passed January 22d, A. D. 1819 (17 O. L., ch. 29, p. 46).

WHEREAS, In the act entitled "An act to incorporate the Cincinnati college," enacted by the general assembly of the state of Ohio, January 22d, A. D. 1819, by the eighth section thereof, it was provided as follows, to-wit: This act shall be subject to such alterations as the general assembly may from time to time see proper to make; and

WHEREAS, The endowment of the Cincinnati college, as at present invested and managed, is not sufficient to enable it to carry out the purposes of its charter; and

WHEREAS, In the opinion of the general assembly it would be advantageous to the said the Cincinnati college and to the university of Cincinnati, and to the public generally, that the government of the two institutions should be joined and consolidated; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That sections 3, 4 and 5 of the act entitled an act to incorporate the Cincinnati college, passed the 22d day of January, A. D. 1819, be amended so as to read as follows:

Sec. 3. The affairs of said Cincinnati college shall hereafter be under the management of the directors, for the time being, of the university of Cincinnati, which directors shall be, and they hereby are constituted the board of trustees of the Cincinnati college, and they are hereby authorized to exercise all the powers granted by law to the board of trustees of the Cincinnati college.

Sec. 4. *Be it further enacted*, That the management of the funds, and of other matters belonging to or connected with the said Cincinnati college, shall be solely in the hands of the board of trustees aforesaid, and the said funds shall be administered for the purpose of carrying out the objects of the charter of the Cincinnati college, in connection with the funds and administration of the university of Cincinnati.

Sec. 5. The board of trustees shall appoint a treasurer, who shall give bond and security for the faithful performance of his duty; they may elect a president and vice-president of the college, and may appoint such professors and tutors as they shall think necessary; which president, vice-president, professors and tutors may be removed at the pleasure of the board; they may, from time to time, make and enforce such rules, regulations and by-laws for the government and well-being of the college as may seem to them proper, provided they be consistent with the laws of the United States and of this state; they may appoint a faculty to consist of the president, vice-president, professors and such other persons as they may judge necessary, and may vest in the faculty so appointed such powers as they may think expedient for the preservation of good order, and for enforcing obedience to the rules, regulations and by-laws of the institution; they may cause the principles of morality and of the christian religion to be included, but the religious tenets that may be peculiar to any particular sect or denomination shall never be taught or be enforced in the college; they may hold their meetings at such times and places as they may designate and appoint; the president of the board may call a meeting at any time when, in his opinion, it may be expedient; at any stated or special meeting of the board a majority of the members shall constitute a quorum for transacting business; the property and funds of the college shall be under the management and at the disposal of the board of trustees, by whom or by whose authority all contracts, purchases and sales shall be made; and generally, the said board of trustees shall have the power to do and perform all such matters and things as they may judge necessary for the benefit of said college; provided, that the funds of the institution shall not be applied to any use, or for any purpose not herein expressed or intended.

SECTION 2. *Be it further enacted*, That sections 3, 4 and 5 of the said act of January 22d, 1819, entitled an act to incorporate the Cincinnati college be and the same are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.

ANDREW L. HARRIS,
President of the Senate.

Passed April 15, 1892.
293L

[Senate Bill No. 303.]

AN ACT

To authorize the commissioners of Wyandot county, Ohio, to transfer a certain sum of money from the dog fund of said county to the use of the agriculture society of said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Wyandot county, Ohio, be and they are hereby authorized to transfer to the agriculture society of said county the balance of any money in the county treasury to the credit of the dog fund of said county on the 1st day of December after the passage of this act. The said funds so transferred to be used by the said society for the purpose of paying the mortgage indebtedness of said society, and for no other purpose.

SECTION 2. Provided, however, that the said commissioners are not authorized to make the said transfer of funds before they shall submit the question of paying said indebtedness to the qualified electors of said county at the first general election after the passage of this act, due notice of which shall be given by publication in two newspapers of general circulation published at the county seat of said county, said newspapers to be printed in English and of opposite politics, and shall also be published in German if there is a German newspaper published at said county seat. Said publications shall not be more than four consecutive weeks before said election. At said election those voting in the affirmative shall have written or printed on their tickets "For transfer of funds—Yes;" and those voting in the negative shall have written or printed on their tickets "For transfer of funds—No." If a majority of the votes cast at said election shall be in favor of the transfer of funds, then and only then shall the said commissioners be authorized to transfer the said funds.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.

ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed April 15, 1892.
294L

[Senate Bill No. 307.]

AN ACT

To authorize the council of the village of Cecil, Paulding county, Ohio, to issue and sell bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of Cecil, Paulding county, Ohio, be authorized and empowered to issue the bonds of said village in any amount not exceeding in the aggregate the sum of twenty-five hundred ($2,500.00) dollars for the purpose of building a fire engine house in said village. The bonds shall be issued in accordance with law in denominations not exceeding five hundred ($500) dollars each, due at such times as the council may fix not exceeding ten years from date of issue, shall bear a rate of interest not exceeding six per cent. per annum, and shall be sold

at not less than their par value. The said council shall have power to levy a tax in addition to that now authorized by law sufficient to pay the interest and principal on said bonds as the same may mature.

SECTION 2. Provided, however, that before the council of said village shall issue or sell the said bonds, provided for in section 1 of this act, the question shall be submitted to the qualified electors of said village at some special or general election due notice of which shall be given by posting in not less than five conspicuous places in said village written or printed notices stating time and purpose of said election; which shall be posted at least ten days before said election. At the said election the voters shall have written or printed on their ballots "Fire engine house bonds—Yes," or "Fire engine house bonds—No" If at the said election a majority of the electors voting on said proposition vote in favor of the issue of bonds, then and then only shall the council have power to issue or sell bonds or levy additional tax as provided in section 1 of this act.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed April 15, 1892.
295L

[House Bill No. 499.]

AN ACT

To authorize the commissioners of Clermont county, Ohio, to construct a free turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Clermont county, Ohio, are hereby authorized and empowered to construct the following free turnpike road: Beginning at a point where the Amelia and Batavia county road intersects the Ohio turnpike road, at Hall's corner, in the village of Amelia, Clermont county, Onio; thence on and along said road to the point where the said road intersects the Batavia and Centerville free turnpike road, at Hulick's corner. In locating said road said commissioners may locate it upon the said county road, or any part of it, as heretofore laid out and established, and to widen, alter, change or vacate the same or any part thereof, and shall have power to lay out, locate and survey such free turnpike road through any improved or unimproved land, and are hereby authorized for that purpose to condemn and appropriate the necessary land therefor; said road shall be opened not more than sixty feet and not less than forty feet wide, to be determined by the county commissioners.

SECTION 2. That said commissioners may, if they deem it best, issue bonds for construction of said free turnpike road; provided, that said bonds shall not bear interest at a higher rate than six per centum per annum, payable annually, and shall not be sold for less than their par value; provided, further, that said bonds may extend to such time as they can be met at a levy of not exceeding two-tenths of one mill on the dollar on the taxable property on the duplicate of said county.

SECTION 3. That said commissioners shall, before proceeding to construct said road, or any part thereof, require and secure from those inter-

ested in said improvement a subscription, or donation, equal in amount to twenty per centum of the cost of said improvement to aid in the construction of same.

SECTION 4. For the purpose of paying the bonds that may be issued for the purpose of paying the cost of construction of said free turnpike road, the county commissioners are hereby authorized to levy and assess a tax not exceeding two-tenths of one mill on the dollar annually on the taxable property on the duplicate of said county in addition to the taxes now authorized by law.

SECTION 5. That a majority of the said board of commissioners are hereby authorized at a regular session to agree upon specifications and order said improvement or any part thereof.

SECTION 6. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed April 15, 1892.
296L

[House Bill No. 636.]

AN ACT

To change the name of Charles Moarse to Charles Johnson.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the name of Charles Moarse, a resident of Montgomery county, Ohio, be and the same is hereby changed to Charles Johnson.

SECTION 2. That said change shall in no way affect the rights, privileges and liabilities of said person.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed April 15, 1892.
297L

[House Bill No. 760.]

AN ACT

To authorize the board of education of McCuneville special school district of Saltlick township, Perry county, Ohio, to borrow money and issue bonds therefor to build a public school building for said special school district.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the McCuneville special school district of Saltlick township, Perry county, Ohio, be and is hereby authorized to borrow any sum of money not exceeding two thousand dollars ($2,000.00)

for the purpose of building a public school building in said special school district.

SECTION 2. That for the purpose aforesaid said board of education is hereby authorized to issue bonds not exceeding two thousand dollars ($2,000.00) in amounts, bearing interest from day of issue not exceeding six per cent. per annum, interest payable annually and payable at such time or place, not exceeding ten years from the date thereof, as such board may determine; said bonds to be signed by the president and attested by the secretary of said board, and not to be sold for less than their par value, at public or private sale, as said board may determine, and said board may, at their discretion have coupons attached to said bonds.

SECTION 3. Said board shall, annually after the issue of said bonds and until the final redemption of the same, cause to be assessed, and the auditor of said county shall place on the duplicate of said county, on the taxable property of said school district the taxes necessary to pay the interest of said bonds annually, and the principal thereof as the same shall become due, in addition to the taxes now allowed by law in said school district, which tax shall be collected by the treasurer of said county, in the same manner as other taxes levied by the board of education.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ELBERT L. LAMPSON.
President pro tem. of the Senate.

Passed April 15, 1892.
298L

[House Bill No. 771.]

AN ACT

For the relief of the estate of Alfred B. Brant and the sureties on his official bond as treasurer of Venice township, Seneca county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That William Everingim, John M. Silcox and the estate of Alfred B. Brant be and they are released from all liability to Venice township, Seneca county, Ohio, upon the bond of said Alfred B. Brant, with said William Everingim and John M. Silcox as sureties thereon, given by said Brant as treasurer of said township, and also from all liability on the bond of said Brant given as such treasurer to the board of education of said township. Provided, however, said bondsmen and said estate shall not be released from said liabilities until the township trustees of said Venice township shall by resolution duly passed at a regular session of said trustees declare said bondsmen and all thereof and said estate released from all liability to said township upon said bond.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON.
President pro tem. of the Senate.

Passed April 15, 1892.
299L

[House Bill No. 820.]

AN ACT

To repeal an act entitled "An act to vacate a part of state road crossing parts of sections thirty-two (32) and thirty-three (33), of township eight (8), range two (2) east, in Williams county," passed February 26, 1891 (O. L. vol. 88, page 672), and to re-establish and locate said part of said state road sought to be vacated by said act.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That an act entitled "An act to vacate a part of the state road crossing part of sections thirty-two (32) and thirty-three (33), of township eight (8), range two (2) east, in Williams county," passed February 26th, 1891 (O. L. vol. 88, page 672), be and the same is hereby repealed.

SECTION 2. That there be reëstablished and located so much of the said "state road," so-called, leading from the county road along the west side of the east half of the southeast quarter of section thirty-two (32), of township eight (8) north, range two (2) east, running in a southeasterly direction to the county road, running west along the south side of the same and through a part of the west half of the southwest quarter of section thirty-three (33) in said township eight (8), range two (2) east, in Williams county, Ohio, and along the same line and of the same width as that part of the so-called "state road," as established and located by the commissioners appointed, pursuant to a local law, enacted by the general assembly of the state of Ohio, entitled "An act to lay out and establish a state road in the county of Williams," passed January 31, 1840, and which said part of said so-called "state road" is hereby reëstablished and located, so sought to be vacated under and pursuant to said act, passed by the general assembly of the state of Ohio, February 26 1891, and entitled "An act to vacate part of state road crossing parts of sections thirty-two (32) and thirty-three (33), of township eight (8), range two (2) east, in Williams county."

SECTION 3. That said part of said so-called "state road," public highway and easement and the rights of the public to an easement therein for the purposes of a public highway, are hereby reëstablished and restored as fully as the same were before the passage of the said act, vacating said portion of said road.

SECTION 4. That this act shall take effect from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed April 15, 1892.
300L

[House Bill No. 827.]

AN ACT

For the improvement of roads.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of any township within the county of Knox and state of Ohio, are hereby authorized, upon the petition of a majority of the taxpayers of any road district, to levy a tax not to exceed in any one year,

five mills on each dollar of valuation of taxable property within the road district, for the purpose of grading, graveling macadamizing and otherwise improving any of the public roads in such township and such road district.

SECTION 2. The tax provided in section one of this act charged against any person, shall be worked out within the time and at the rate fixed by the trustees of the township, and every person charged with said tax shall be permitted, under the direction of the supervisor of such district, to work said tax, provided it is worked within the time and at the rate fixed by said trustees; and the said supervisor shall give to such person a certificate specifying the amount of tax worked and the district and township wherein such labor was performed, which certificate shall in no case exceed the sum charged against such person; and the county treasurer shall receive said certificates as money in the discharge of said road tax; but any person neglecting or refusing to work the said tax charged against them within the time and at the rate fixed by the township trustees, shall pay the same to the county treasurer and be credited to the district where levied; and upon the order of said trustees, the county treasurer shall pay the same to the person or persons named in their order.

SECTION 3. The tax provided for in this act shall, when levied or collected, be applied to the improvement of the road or roads mentioned in the petition, and in making the kind of improvement therein asked for.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed April 15, 1892.
301L

[House Bill No. 839.]

AN ACT

To repeal an act entitled "An act to authorize and require the commissioners of Scioto county to levy a tax sufficient to raise a sum not to exceed thirty-three thousand dollars for the purpose of constructing a free turnpike from the Scioto river bridge west and northwest to the hills," passed March 20, 1891 (O. L., v. 88, p. 725).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the act entitled "An act to authorize and require the commissioners of Scioto county to levy a tax sufficient to raise a sum not to exceed thirty-three thousand dollars for the purpose of constructing a free turnpike from the Scioto river bridge west and northwest to the hills," passed March 20, 1891, be and the same is hereby repealed.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed April 15, 1892.
302L

[House Bill No. 868.]

AN ACT

To authorize the board of education of the Lithopolis village school district, Fairfield county, Ohio, to borrow money and issue bonds therefor, for the purpose of building and furnishing a school-house.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of the Lithopolis village school district, Fairfield county, Ohio, is hereby authorized to borrow money, not to exceed the sum of five thousand dollars, and issue bonds therefor, for the purpose of building and furnishing a school-house.

SECTION 2. Such bonds shall be signed by the president and attested by the clerk of the board of education, and shall be issued in sums of one hundred dollars, or any multiple thereof, and shall bear interest not to exceed six per cent. per annum, being made payable at such times as the board shall determine, not to exceed ten years from the date of issue. Said bonds shall not be sold for less than their par value, and the board shall levy annually such levy as is necessary to pay the bonds as they become due, and all accrued interest.

SECTION 3. This act shall take effect on its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed April 15, 1892.
303L

[House Bill No. 882.]

AN ACT

To authorize the trustees of Paint township, Holmes county, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Paint township, Holmes county, are authorized to transfer the sum of one hundred and twenty-five dollars ($125.00) from the poor fund to the road fund.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed April 15, 1892.
304L

[House Bill No. 887.]

AN ACT

To authorize the commissioners of Perry county, Ohio, to levy additional taxes for the purpose of meeting deficiencies in the county fund of said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of county commissioners of Perry county, Ohio, be and

they are hereby authorized to levy at their June session of each year for the years 1892, 1893, 1894 and 1895, in addition to the tax now authorized by law, an additional tax, not to exceed one-half of one mill on the dollar on the grand duplicate of said Perry county, Ohio, for the purpose of meeting and providing for deficiencies in the county fund of said county.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed April 15, 1892.
305L

[Senate Bill No. 300.]

AN ACT

To create the township of Pitt, in the county of Wyandot, state of Ohio, a separate road district for macadamizing purposes, and to improve the roads and highways in said township, and to authorize the trustees to levy and assess a tax for said improvements.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That Pitt township, Wyandot county, be and the same is constituted and made a separate and independent road district, for the purpose of macadamizing and improving the roads and highways in said township.

SECTION 2. The trustees of Pitt township, Wyandot county, for the purpose of macadamizing and improving the roads and highways in said township, so constituted and made a special and independent road district by the provision of section 1 of this act, be and they are hereby authorized to purchase stone and gravel for the purpose of macadamizing, graveling and improving the roads in said township; but the said trustees shall not pay for the services of man and team for hauling said stone or gravel more than one dollar and fifty cents per day; and the said trustees, in determining the division of the road fund, shall be governed, not by the number of miles of road in each road district, but by the necessities of the roads, the convenience of getting material, the quality of the material necessary to make substantial repairs, and shall make a just and equitable division of the road fund between the districts. In expending the funds for improving the roads as provided in this section, the trustees shall give preference to those from whom the tax is collected for road purposes, and it shall be the duty of the trustees to see that this provision is observed so far as practicable for the best interests of the roads and of the taxpayers; provided, the trustees of said township shall not macadamize any road in said township which is less than forty rods in length.

SECTION 3. For the purpose of macadamizing and improving the roads in said township, the trustees are authorized to levy and assess upon all the taxable property in said township, not more than three mills on the dollar in addition to that authorized by law, for a period of five years, which shall be paid in money and collected as other taxes, and the money so collected shall be under the control of the trustees of said township.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 16, 1892.
306L

[Senate Bill No. 301.]

AN ACT

To amend sections one, three and four of an act entitled "An act to authorize the creation of a special school district composed of parts of Jackson, Jefferson, Enoch and Olive townships in Noble county," passed May 4, 1891 (O. L., vol. 88, pp. 913-15).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That sections one (1), two (2), three (3) and four (4) of an act passed and took effect May 4th, 1891, creating a special school district in Noble county, known as the Dexter City special school district, be amended so as to read as follows:

Sec. 1. That the following described territory, to-wit: Beginning on the section line dividing sections numbers thirty-five (35) and thirty-six (36) in township six (6), range nine (9), in Olive township, Noble county, Ohio, forty rods north of the southwest corner of southwest quarter of said section thirty-six (36), thence due south along the section line to the southwest corner of the northwest quarter of section twelve (12), township five (5), range nine (9), in Jackson township, in said county, thence due east to the northeast corner of the west half of the southwest quarter of said section twelve (12), thence south to the section line, thence east along the section line to the township line dividing Jackson township in said Noble county from Washington county, Ohio, thence north along said township line to the southwest corner of lands of Hezekiah Kellar in section six (6), in Jefferson township, in said Noble county, thence east along the line dividing said Noble and Washington counties to the public road leading from Middleburgh to Macksburgh, thence north following the east line of the lands of Minerva Corp, in said section six (6), to the northeast corner of said lands, thence west to the southwest corner of the southeast quarter of the northwest quarter of said section six (6), thence north along the west line of the east half of said northwest quarter of said section six (6), to the section line dividing the townships of Jefferson and Enoch, thence east along said line to the southeast corner of lands of D. W. Sullivan in section thirtyone (31) in Enoch township, thence north along the east line of said Sullivan's land to the north boundary of same, thence west along said north boundary to the line dividing said Enoch and Olive townships, thence north along said line dividing said townships to the northwest corner of southeast quarter of section thirty-six (36) in Olive township, thence west along the north boundary line of lands of Harry Shirls in said southeast quarter to the northwest corner of said lands, thence south along the west line of said lands to the public road, thence west along said road to where it intersects the east line of William W. Davis' lands in said section thirty-six (36), thence south to the north bank of the west fork of Duck creek, thence

west along the north bank of said creek, following the meanderings thereof to the northeast corner of lands formerly owned by P. M. Jordan and now owned by Loomis and Ostrander in said section thirty-six (36), thence west following the north line of said lands to the place of beginning, shall be and the same is hereby created and declared to constitute a special school district to be known and designated as the Dexter City special school district.

SECTION 2. That the remaining territory in said Enoch and Jefferson townships heretofore constituting subdistrict number (4) four in Enoch township is hereby transferred to said Enoch township, and shall form and be known as subdistrict number four (4) of said township.

SECTION 3. That said original sections one, three and four are hereby repealed.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 16, 1892.
307L

[Senate Bill No. 302.]

AN ACT

To authorize the trustees of Antrim township, Wyandot county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Antrim township, Wyandot county, Ohio, be and are hereby authorized to transfer seven hundred dollars from the bridge fund of said township to the road fund.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 16, 1892.
308L

[Senate Bill No. 313.]

AN ACT

To authorize the council of the incorporated village of Chicago Junction, Huron county, to issue bonds not exceeding twenty-five thousand dollars, for the purpose of providing electric lights, street improvements and other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Chicago Junction, Huron county, be and is hereby authorized and empowered to issue its bonds not to exceed in amount the sum of twenty-five thousand dollars, in such de-

by the general statutes on that subject, except i
and duties are conferred and prescribed by this a

SECTION 2. For the purpose of raising mon
of constructing said bridge and the necessary
thereto, said commissioners are hereby authorize
and sell the bonds of said Franklin county, at
value, in sums not less than one thousand doll
at a rate not to exceed six per centum per annun
and not to exceed in the aggregate the sum of
and said commissioners are further authorized
tax on all the property of said county to pay sa
and the interest thereon, and at such rate and f
may be necessary for that purpose.

SECTION 3. This act shall take effect and b
its passage.

LEWI
Speaker of
ANDI

Passed April 16, 1892.
312L

[House Bill No. 799.]

AN ACT

To authorize the council of the incorporated village of
issue bonds not exceeding ten thousand dollars, for
ping facilities and the encouragement of manufactu

SECTION 1. *Be it enacted by the General A*
That the council of the incorporated village of
be and they are hereby authorized and empow
to exceed in amount ten thousand dollars, i
less than one hundred dollars nor more than fi
at such times not exceeding [twenty] years,
council may determine, for the purpose of im
said bonds to bear interest at a rate not in ex
annum, payable annually, and not to be sold

SECTION 2. For the payment of the pri
bonds as the same shall become due, the coun
authorized and required to levy a tax on all t
the corporate limits of said village in such am
the principal and interest then falling due u
shall be placed on the tax duplicate by the
collected as other tax.

SECTION 3. That before said council sh
submit the proposition to the qualified electo
or general election, at least ten days' notice of
given by publication in a newspaper having
village. Those voting at such election who sh
shall have written or printed upon their ball
issue bonds—Yes;" and those opposing such
ten or printed upon their ballots the words "

No;" and if two-thirds of those voting are in favor of such issue, then the council shall have authority under this act.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 16, 1892.
313L

[House Bill No. 806.]

AN ACT

Authorizing the board of education of Ottawa special school district, in Ottawa township, Putnam county, Ohio, to issue and sell certificates of indebtedness for certain purposes therein stated.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of Ottawa special school district, in Ottawa township, Putnam county, Ohio, be and it is hereby authorized to issue and sell the certificates of indebtedness of said school district in a sum not exceeding five thousand ($5,000 00) dollars, for the purposes of improving, completing and furnishing the high school building and grounds of said district.

SECTION 2. Said certificates of indebtedness shall be of denominations of one thousand ($1,000 00) dollars each, and shall be made payable not later than five (5) years from their date of issue. They shall bear interest at a rate not exceeding six per cent., payable semi-annually, and shall not be sold for less than their face. They shall be signed by the president and clerk of the board. The principal and interest of said certificates shall be payable at the bank of A. V. Rice & Co., Ottawa, Ohio.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 16, 1892.
314L

[House Bill No. 807.]

AN ACT

To enlarge and establish the boundary lines of Ottawa special school district, in Ottawa township, Putnam county and state of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That Ottawa special school district in Ottawa township, Putnam county and state of Ohio, be and the same is hereby enlarged and the

boundary lines of the same shall be as follov
south quarter post of section sixteen (16), to
seven (7) east, in Ottawa township, Putnam co
line between said section sixteen (16) and section
ning thence east on the section line between sectio
one (21), fifteen (15) and twenty-two (22), fourt
(23), to the south quarter post of said section
range aforesaid; thence running south on the n
of said section twenty-three (23), town [and] ra
quarter post of said section twenty-three (23); the
tion line between sections twenty-three (23) and tv
east corner of section twenty-three (23); thence
tion line between sections twenty-five (25) and tv
of the Blanchard river; thence running down t
river with the meanderings thereof until the se
tion line of section twenty-seven (27); thence
section line of section twenty-seven (27) to the
twenty-seven (27); thence running west on the se
twenty-seven (27) and thirty-four (34), twenty-
(33), to the south quarter post of said section
running north on the north and south center lir
(28) and twenty-one (21) to the place of beginni
within said boundary lines shall be known as "Ot
of Ottawa township, Putnam county and state

SECTION 2. This act shall take effect and
its passage.

LEW
Speaker of
AND

Passed April 16, 1892.
315L

[House Bill No. 808.]

AN ACT

**To create and establish Miller City special school di
nam county, Ohio.**

SECTION 1. *Be it enacted by the General A*
That there be and hereby is created and e
special school district in Palmer township,
school purposes. That said special district s
territory, to-wit: The whole of sections numb
six (26), thirty-five (35) and thirty-six (36)
south half of sections numbers twenty-three (
in town two (2) north of range six (6) east,
county, Ohio, and the said territory above de
and organized shall be known as "Miller Cit
Palmer township, Putnam county, Ohio.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 16, 1892.
316L

[House Bill No. 809.]

AN ACT

To authorize Miller City special school district in Palmer township, Putnam county, Ohio, to issue and sell bonds for certain purposes therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of "Miller City special school district," in Palmer township, Putnam county, Ohio, be and they are hereby authorized to issue and sell the bonds of said district in an amount not to exceed eight hundred ($800) dollars, for the purpose of completing [and] furnishing the school-house in said district.

SECTION 2 Said bonds shall be issued in denominations of one hundred ($100) dollars each and shall run not to exceed ten years from the date of issue. Said bonds shall be signed by the president and clerk of said board, and shall bear interest at a rate not exceeding six per cent. per annum, payable semi-annually, and shall not be sold for less than their face value. The principal and interest of said bonds shall be made payable at the bank of Spitzer & Co., Toledo, Ohio, and shall have interest coupons attached.

SECTION 3. For the purpose of meeting the principal and interest of said bonds, said board of education shall levy annually such amount as may be necessary in addition to that now authorized by law.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 16, 1892.
317L

[House Bill No. 822.]

AN ACT

Authorizing and directing the commissioners of Clermont county to improve a road and build approaches to a bridge.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Clermont county are hereby authorized and directed to make the necessary approaches and fills to the bridge over Hall's run, on the road leading from Summerside to a point on the

boundary lines of the same shall be as follows: Commencing at the south quarter post of section sixteen (16), town one (1) north, range seven (7) east, in Ottawa township, Putnam county, Ohio, on the section line between said section sixteen (16) and section twenty-one (21), and running thence east on the section line between sections sixteen (16) and twenty-one (21), fifteen (15) and twenty-two (22), fourteen (14) and twenty-three (23), to the south quarter post of said section fourteen (14), town and range aforesaid; thence running south on the north and south center line of said section twenty-three (23), town [and] range aforesaid, to the south quarter post of said section twenty-three (23); thence running east on the section line between sections twenty-three (23) and twenty-six (26), to the southeast corner of section twenty-three (23); thence running south on the section line between sections twenty-five (25) and twenty-six (26), to the center of the Blanchard river; thence running down the center of the Blanchard river with the meanderings thereof until the same intersects the east section line of section twenty-seven (27); thence running south on the east section line of section twenty-seven (27) to the southeast corner of section twenty-seven (27); thence running west on the section line between sections twenty-seven (27) and thirty-four (34), twenty-eight (28) and thirty-three (33), to the south quarter post of said section twenty-eight (28); thence running north on the north and south center line of sections twenty-eight (28) and twenty-one (21) to the place of beginning. All territory included within said boundary lines shall be known as "Ottawa special school district" of Ottawa township, Putnam county and state of Ohio.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 16, 1892.
315L

[House Bill No. 808.]

AN ACT

To create and establish Miller City special school district in Palmer township, Putnam county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That there be and hereby is created and established the Miller City special school district in Palmer township, Putnam county, Ohio, for school purposes. That said special district shall include the following territory, to-wit: The whole of sections numbers twenty-five (25), twenty-six (26), thirty-five (35) and thirty-six (36), and the south half of the south half of sections numbers twenty-three (23) and twenty-four (24), all in town two (2) north of range six (6) east, Palmer township, Putnam county, Ohio, and the said territory above described when so constituted and organized shall be known as "Miller City special school district" in Palmer township, Putnam county, Ohio.

est of said district, and said bonds shall bear interest at the rate of six per cent. per annum, payable annually, and shall be signed by the president of the board and countersigned by the clerk of said board, and shall not be sold for less than their par value; said bonds shall not be made to extend beyond a period of five years from the date of their issue, and said board is hereby authorized to levy an additional tax on said district, not to exceed one mill in any one year, for the purpose of paying said bonds and interest on the same.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 16, 1892.
319L

[House Bill No. 847.]

AN ACT

To authorize the board of education of the Ada union school district of Hardin county to issue bonds to erect and furnish a public school building in the village of Ada and to provide for the payment of the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That the board of education of Ada union school district of Hardin county, Ohio, be and the same is hereby authorized to issue its bonds, not to exceed the sum of thirty thousand dollars ($30,000) for the purpose of erecting and furnishing a public school building in the village of Ada, Hardin county, Ohio.

SECTION 2. That said bonds shall be signed by the president of the board of education and attested by the clerk who shall keep a record of the same; said bonds shall be in denominations of not less than five hundred dollars ($500.00), nor more than one thousand ($1,000 00) dollars, the first of which shall mature in twenty years and the remaining number in such a time or times and in such amounts as said board of education may determine; said bonds shall be negotiable and bear interest at a rate not exceeding five (5) per cent. per annum, payable annually or semi-annually as said board of education may deem best, and said bonds may have interest coupons attached thereto; said bonds shall not be sold for less than their par value and then only to the highest and best bidder for the same, and the funds arising from the sale thereof shall be used and applied solely to the erection of public school building in said village, and in the furnishing of the same.

SECTION 3. That for the purpose of paying said bonds and the interest thereon as the same shall become due, the said board of education is hereby authorized and empowered to levy a tax on all the taxable property of such district, not exceeding two mills on the dollar in any one year, in addition, if necessary, to the taxes now authorized by law, which levy shall be placed on the duplicate by the auditor and collected as other taxes.

SECTION 4. That said bonds, however, shall not be issued by said board of education until the question shall have first been submitted to a

road or pike connecting Milford and Mt. Carmel, near Dr. Robinson's residence, and to macadamize so much of said road as lies between Summerside and the road connecting Mt. Carmel with Milford, as remains unimproved, at a cost not to exceed $800.

SECTION 2. And if the revenues derived from the regular levy for bridge and road purposes is not sufficient to make said improvement, the county commissioners are hereby authorized and empowered, in addition to the other levies authorized, to levy an additional sum sufficient in amount to pay for said improvement.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 16, 1892.
318L

[House Bill No. 834.]

AN ACT

To add certain territory to the special school district of North Union, in Union township, Ross county, Ohio, and to increase the number of members of the board of education from three to six, and to authorize said board to issue bonds, and build a school-house.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That all of that territory in North Union special school district, that is included in the joint subdistrict of North Union special school district, and Deerfield township, Ross county, Ohio, be made a part and parcel of said special school district, and said joint subdistrict is hereby dissolved.

SECTION 2. That all money remaining in the hands of the treasurer of the board of education of Deerfield township, Ross county, Ohio, to the credit of said joint subdistrict shall be divided between said special school district of North Union and Deerfield townships, Ross county, Ohio, pro rata per scholar, and the clerk of said Deerfield township is hereby authorized and required on demand to issue his order upon the treasurer of said board of education of township of Deerfield, in favor of the treasurer of said special school district for all moneys found to be due said special school district according to this act.

SECTION 3. On the second Monday of May following the passage of this act, the electors of said special district shall meet and elect three additional members of the board of education, one to serve until the third Monday in April, 1893, and one to serve until the third Monday in April, 1894, and the other to serve until the third Monday in April, 1895, and until the election and qualification of their successors; and on the second Monday of April of each year thereafter the first election held under this act, there shall be elected two members of said board of education, to serve for three years and until their successors are elected and qualified.

SECTION 4. That the board of education of said special district are hereby authorized to issue the bonds of said special district, for the purpose of building a school-house therein, not to exceed the sum of one thousand dollars, in such sums as they deem wise, and to the best inter-

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April [illegible]
3221

[House Bill No. 900.]

AN ACT

To authorize the council of the village of Beverly, Washington county, Ohio, to issue bonds and borrow money for the purposes of acquiring the necessary real estate, and establishing thereon a public wharf or landing for boats, barges, etc.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That the council of the village of Beverly, Washington county, Ohio, be and is hereby authorized to borrow a sum of money not exceeding two thousand dollars ($2,000), for the purpose of acquiring the necessary real estate and establishing and constructing thereon a public wharf or landing for the free use of boats, barges, and other water craft, under such regulations as the council may prescribe; and for that purpose to issue the bonds of said village in sums of not less than one hundred dollars ($100) at an annual rate of interest not exceeding six per cent. (6%) per annum, payable semi-annually, and payable at such times and in such amounts each year, but not exceeding ten years, as the council may by ordinance prescribe; and which bonds shall not be sold for less than their face value and accrued interest, and when issued shall be signed by the mayor, and countersigned by the clerk of said village.

SECTION 2. That for the payment of said bonds, and the interest thereon, the council of said village is hereby authorized and required to levy a tax upon all the taxable property within said village, annually, from year to year until all such bonds and the interest thereon shall have been paid.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 16, 1892.
323L

[House Bill No. 905.]

AN ACT

To authorize the village council of the incorporated village of Bridgeport, Ohio, to issue and sell bonds for the purpose of constructing sewers for the drainage of said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the village council of the incorporated village of Bridgeport, Bel-

vote of the qualified electors of said district at a general or special election, of which not less than ten days' notice shall be given by publication in some newspaper of general circulation in said district, and at said election all those desiring to vote in favor of issuing said bonds shall have written or printed on their ballots the words "Issue of union school bonds—Yes," and all voters desiring to vote against said issue of bonds shall have written or printed on their ballots the words "Issue of union school bonds—No," and if two-thirds of said votes cast at such election be in favor of the issue of such bonds then said board of education may proceed as authorized by this act, and not otherwise.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 16, 1892.
320L

[House Bill No. 890.]

AN ACT

To authorize the council of the city of Chillicothe, Ross county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the city council of the city of Chillicothe, Ross county, Ohio, be and are hereby authorized to transfer the sum of twenty-five hundred dollars from the street cleaning and sanitary fund of said city to the bridge fund of said city.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 16, 1892.
321L

[House Bill No. 899.]

AN ACT

To authorize the township trustees of Turtlecreek township, Warren county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the township trustees of Turtlecreek township, Warren county, Ohio, be and are hereby authorized to transfer the sum of four hundred dollars from the poor fund to the township fund.

hereby authorized to sell at private sale, and convey said grounds of said association to said Silver Creek township, and all interest in, and control over, said present cemetery ground by said association, and said trustees of said township shall keep up, beautify and maintain said cemetery grounds in all respects as required by law.

SECTION 2. For the purpose of providing money for the said purchase, the trustees of said township shall issue and sell the bonds thereof in a sum not exceeding fourteen hundred ($1,400 00) dollars; said bonds shall be issued and sold according to law, shall mature in not to exceed five years from their date, and shall draw a rate of interest not exceeding six per cent. per annum.

SECTION 3. Said trustees of said township shall levy a tax on all the taxable property of said township, in addition to that now authorized by law, sufficient to pay the interest and principal as the same may mature.

SECTION 4. This act shall take effect on its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.

ANDREW L. HARRIS,
President of the Senate.

Passed April 16, 1892.
325L

[House Bill No. 915.]

AN ACT

To authorize the city of Kenton, Ohio, to issue bonds for the improvement and extension of the system of water-works owned by said city.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city council of the city of Kenton, Hardin county, Ohio, be and hereby is authorized and empowered to make certain improvements in the system of water-works owned by said city, by extending the mains thereof and constructing certain wells and purchasing the necessary apparatus therefor.

SECTION 2. That to provide a fund for the payment of said improvement and extensions, the city council of said city, is hereby authorized and empowered to issue bonds of said city, not exceeding a total of four thousand dollars, of such denominations as the city council shall designate, provided that none of such bonds shall be for less than five hundred dollars. Said bonds shall bear a rate of interest not exceeding six per centum per annum, payable semi-annually, and shall be payable within thirty-three years from date of their issue, and shall be issued and sold in accordance with the general statutes in such cases provided, and the proceeds arising from the sale thereof shall be applied to the purposes for which the same are hereby authorized to be issued.

SECTION 3. When such bonds are issued as hereinbefore provided, it shall be the duty of the city council of said city, annually thereafter, until such bonds and interest thereon shall be fully paid, to levy and assess a tax on all taxable property of said city, sufficient to provide for the payment of the interest accruing on said bonds, as the same shall become due, and to create a sinking fund for the payment of the principal of the said bonds as they shall mature.

mont county, Ohio, be and it is hereby authorized to issue and to sell bonds of said village, in the aggregate sum of not to exceed twelve thousand dollars ($12,000.00), bearing interest at the rate not to exceed six per cent. per annum, payable semi-annually, and of denominations not less than five hundred dollars ($500.00) each, and payable at such times as said council may by resolution prescribe, but not less than ten nor more than twenty years from date; said bonds shall be signed by the mayor of said village and countersigned by the clerk thereof, and shall not be sold for less than their par value, and the proceeds therefrom shall be used for the purpose of constructing sewers for the drainage of said village.

SECTION 2. The question of issuing such bonds shall be submitted to the vote of the qualified electors of said village, at a general or special election held in said village, of which fifteen days' notice shall be given by publication in a newspaper of general circulation in said village and notices posted in fifteen of the most public places in said village. Those in favor of constructing sewers and issuing bonds, shall vote "Constructing sewers—Yes." And those opposed to constructing sewers and issuing bonds, shall vote "Constructing sewers—No." If a majority of the votes cast at said election are in favor of constructing said sewers and issuing said bonds, then the council shall proceed to issue said bonds, and not otherwise.

SECTION 3. For the purpose of paying said bonds and the interest, as the same may become due, the council of said village is hereby authorized to levy a tax, at such times as it may deem necessary, upon all the taxable property, both real and personal, of said village, in addition to the amount otherwise allowed by law, to be collected as other taxes; and the money so collected shall be used for the payment of said bonds and the interest thereon, and for no other purpose.

SECTION 4. This act shall be in force and take effect from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 16, 1892.
324L

[House Bill No. 908.]

AN ACT

To authorize and require the trustees of Silver Creek township, Greene county, to purchase cemetery grounds and to issue bonds and levy a tax therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the township trustees of Silver Creek township, Greene county, are hereby authorized and required to purchase for cemetery purposes, for the benefit of the residents of said township, including the residents of the village of Jamestown, the grounds now owned and controlled by the Jamestown cemetery association, adjoining the village of Jamestown in said county, for a sum not exceeding fourteen hundred ($1,400.00) dollars, which sum shall be applied in satisfaction of the indebtedness of said Jamestown cemetery association and the improvement of said cemetery grounds; and the trustees of said Jamestown cemetery association are

[House Bill No. 943.]

AN ACT

To authorise the commissioners of Lake county, Ohio, to build a pike road through Le Roy and Concord townships in said county.

WHEREAS, The citizens of Le Roy and Concord townships, in Lake county, Ohio, are desirous of building a pike road under the two-mile assessment law as provided in chapter 8 of the Revised Statutes of Ohio, along the old plank road (so-called) from the Geauga county line to the Painesville township line in said Lake county; and

WHEREAS, The road is circuitous and much of the two-mile territory is cut off by Grand river on the east, and by Big creek on the west; and

WHEREAS, It is less than one mile from said road at some parts from the Geauga county line;

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Lake county be and they are hereby authorized and empowered, after the completion of said pike road, as provided in chapter 8 of the Revised Statutes of Ohio providing for the building of pike roads under the two-mile assessment law, and for the purpose of assisting in the payment of the bonds and interest thereon, which may be issued for the payment of improving and piking or macadamizing said turnpike road, [to] collect such toll from the traveling public as in their judgment they may deem best, and the money received from the toll so collected, less the expense of collecting the same, shall be applied by said county commissioners semi-annually to the payment of the interest and principal of said bonds; provided, however, that after the payment of said bonds and interest has been made in full, from assessments against the lands and from tolls collected, then and ever after, the said pike road shall be free for all public travel.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 16, 1892.
328L

[Senate Bill No. 180.]

AN ACT

To authorize the county commissioners of Clermont county to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of county commissioners of Clermont county be and they are hereby authorized to transfer from the building fund of said county any sum not exceeding ten thousand dollars, to the county fund; and any sum not exceeding two thousand dollars from the dog fund to the county fund.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed April 18, 1892.
329L

[Senate Bill No. 256.]

AN ACT

To authorize the board of education of the special school district of Vanlue, Hancock county, Ohio, to issue bonds to purchase a site and erect a new school building.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of Vanlue special school district in Hancock county, Ohio, be and is hereby authorized to purchase a suitable site and build thereon a school house and furnish the same, at a cost not exceeding six thousand dollars.

SECTION 2. To provide for the expense of said site and school-house the board of education is hereby authorized to issue bonds, signed by the president and countersigned by the clerk of the board, in sums not less than one hundred dollars each, bearing interest not to exceed six per cent. per annum, payable semi-annually, on or before the first day of May and November of each year, the time of payment of the last of said bonds falling due not to be later than May 1, 1912, as the board of education may determine; provided, that none of said bonds shall be sold for less than their par value, and the proceeds shall not be applied to any other purpose than as specified in section one of this act.

SECTION 3. The said board of education is hereby authorized to levy a tax, annually, on all the property of said special school district as shown by the tax duplicate thereof, sufficient to pay said bonds, together with the interest thereon as they fall due, which levy shall be placed on the tax duplicate by the auditor of said county, and collected as other taxes, and said levy shall be in addition to other taxes authorized by law.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Passed April 18, 1892.
330L

[Senate Bill No. 315.]

AN ACT

To authorise the trustees of Venice township, Seneca county, Ohio, to repair a macadamized road in said township.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Venice township, in the county of Seneca, and state of Ohio, be and they are hereby authorized to repair the following free turnpike road, known as the Sandusky and Columbus turnpike road: Commencing for the same at the south line of said Venice township and terminating at the north line of said township, at a cost not to exceed one thousand dollars in any one year.

SECTION 2. That for the purpose of paying for said repairs on said road the said board of trustees of said township are hereby authorized to levy and assess a tax not exceeding one mill on the dollar, annually, on any and all the property in said township.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ELBERT L. LAMPSON.
President pro tem. of the Senate.

Passed April 18, 1892.
331L

[House Bill No. 361.]

AN ACT.

To amend an act passed March 31, 1891 (88 O. L., p. 764), entitled "An act to authorise the county commissioners of Hamilton county, Ohio, to levy a tax for grading, macadamizing, curbing, improving and extending Court street from Gilbert avenue to Russell street in the city of Cincinnati."

SECTION 1. *Be it enacted by the General Assembly [of] the State of Ohio*, That sections one (1) and two (2) of an act passed March 31, 1891, be amended so as to read as follows:

Sec. 1. That the commissioners of Hamilton county, Ohio, be and they are hereby authorized and directed to issue bonds of said county, maturing in twenty years, for the following purposes: To improve Court street in the city of Cincinnati by extending the same from Gilbert avenue to Russell street and by grading, macadamizing, curbing and improving the same, and the said commissioners are hereby authorized and directed to acquire by dedication or condemnation all lands and easements necessary to make said extension. Said improvement shall be made in conformity with plans and specifications to be made and furnished by the city authorities in which said Court street is located, and such improvement shall be made under the direction of the board of administration or its lawful successor. Said bonds shall bear interest at the rate of four per cent. per annum and shall not be sold for less than their par value. To pay the interest on said bonds and to provide a sinking fund to pay said bonds at maturity the said commissioners are hereby authorized and

[Senate Bill No. 315.]

AN ACT

To authorise the trustees of Venice township, Seneca county, Ohio, to repair a macadamized road in said township.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Venice township, in the county of Seneca, and state of Ohio, be and they are hereby authorized to repair the following free turnpike road, known as the Sandusky and Columbus turnpike road: Commencing for the same at the south line of said Venice township and terminating at the north line of said township, at a cost not to exceed one thousand dollars in any one year.

SECTION 2. That for the purpose of paying for said repairs on said road the said board of trustees of said township are hereby authorized to levy and assess a tax not exceeding one mill on the dollar, annually, on any and all the property in said township.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ELBERT L. LAMPSON.
President pro tem. of the Senate.

Passed April 18, 1892.
331L

[House Bill No. 361.]

AN ACT.

To amend an act passed March 31, 1891 (88 O. L., p. 764), entitled "An act to authorise the county commissioners of Hamilton county, Ohio, to levy a tax for grading, macadamizing, curbing, improving and extending Court street from Gilbert avenue to Russell street in the city of Cincinnati."

SECTION 1. *Be it enacted by the General Assembly [of] the State of Ohio*, That sections one (1) and two (2) of an act passed March 31, 1891, be amended so as to read as follows:

Sec. 1. That the commissioners of Hamilton county, Ohio, be and they are hereby authorized and directed to issue bonds of said county, maturing in twenty years, for the following purposes: To improve Court street in the city of Cincinnati by extending the same from Gilbert avenue to Russell street and by grading, macadamizing, curbing and improving the same, and the said commissioners are hereby authorized and directed to acquire by dedication or condemnation all lands and easements necessary to make said extension. Said improvement shall be made in conformity with plans and specifications to be made and furnished by the city authorities in which said Court street is located, and such improvement shall be made under the direction of the board of administration or its lawful successor. Said bonds shall bear interest at the rate of four per cent. per annum and shall not be sold for less than their par value. To pay the interest on said bonds and to provide a sinking fund to pay said bonds at maturity the said commissioners are hereby authorized and

directed to assess and collect by levy, in addition to their other powers of taxation, a tax upon the grand duplicate of the taxable property of said county, not to exceed one-forty-third of one mill yearly. The said board of administration or the lawful successors of said board shall at once proceed with said improvement.

SECTION 2. This act shall be amendatory to said act passed March 31, 1891, and shall be in force and take effect from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.

ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892.
332L

[House Bill No. 400.]

AN ACT

To create a joint sub-school district in Mechanic township, Holmes county, Ohio, and Clark township, Coshocton county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the territory comprised in Mechanic township, Holmes county, and Clark township, Coshocton county, Ohio, bounded and described as follows, to-wit: South half of sections nineteen (19) and twenty (20) also twenty-one (21), twenty-two (22) and military lots numbers nineteen (19), twenty (20), thirty-one (31), thirty two (32), thirty-three (33) and thirty-four (34), in said Mechanic township, Holmes county, Ohio; also the following described territory situate in Clark township, Coshocton county, Ohio: Being the north part of first quarter township, in township seven, of range seven, commencing on the county line between Coshocton and Holmes counties, Ohio, at the northeast corner of said quarter township, which is also the northeast corner of Clark township, Coshocton county, Ohio; thence west on the said county line to the northwest corner of John Graham's land to the county road leading from Broomfield to Spring Mountain; thence east and in a northeast direction along in the center of said road to the southwest corner of the lands owned by Nancy Henderson; thence east along the south line of said Henderson's land and a tract of about eleven acres of land owned by H. D. Osborne to the west line of lands owned by G. W. Lawrence; thence south along the west line of said Lawrence's lands to the southwest corner thereof; thence east along the south line of said Lawrence's land to the west line of the lands owned by George Craig; thence south along the west line of said Craig's land to the southwest corner thereof; thence east along part of the south line of said Craig's land and the lands of Jacob Miller lying in said Clark township to the township line between Clark and Mill Creek townships in said Coshocton county; thence north along the said township line to the place of beginning; be and the same is hereby created and declared to be and constitute a joint sub-school district.

SECTION 2. Such joint sub-school district shall be governed and controlled in all respects by such laws as now are or may hereafter be in force relating to joint sub-school districts, and shall be under the control and subject to the board of education of the township in which the school-

house may be situated; provided, there shall be elected in the aforesaid sub-school district three local directors; one to serve for one year, one for two years and one for three years in the same manner as provided by law; and provided, further, that the boards of education of each of the aforesaid townships shall, at a joint meeting thereof, held for that purpose by mutual agreement, establish the location of the school-house for said sub-school district and designate a site whereon to erect said building in accordance with the provisions of section 3928 of the Revised Statutes.

SECTION 3. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives
ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892.
333L

[House Bill No. 692.]

AN ACT

To authorize the commissioners of Highland county to issue bonds and build a free turnpike.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That the commissioners of Highland county, Ohio, be and are hereby authorized to build and construct a good and sufficient free turnpike road, beginning at a point north of the residence of Nancy Duncanson in Clay township of said county, where the Cynthiana and Hollow-town road intersect the Buford and Harwood free turnpike No. 56, thence over said Cynthiana and Hollow-town road in a westerly direction and with said road as now located to the line between said Highland and Brown counties south of the residence of Sarah J. Lewis.

SECTION 2. The said commissioners are hereby authorized and required to appoint three judicious disinterested landholders of the county as viewers, and a competent surveyor, whose duty it shall be to measure and lay off in sections of not less than one-half mile the road thus sought to be improved, who shall make their report in writing within a reasonable time, to be fixed by the commissioners.

SECTION 3. Upon the filing of the report of the survey hereinbefore provided, the county commissioners shall let the contract for construction of the same to the lowest responsible bidder or bidders, and the said county commissioners shall, by order entered on their journal, make a levy on all the taxable property of the county to pay for the construction of said road.

SECTION 4. For the purpose of paying for the construction of said road as the work progresses, or when completed, the said commissioners are hereby authorized and empowered to issue bonds of the county payable in such time as the commissioners may determine, but not longer than five years, and shall sell said bonds at not less than their par value, and they shall bear not to exceed six per cent. interest per annum, interest payable annually.

SECTION 5. In the letting of the contract for the furnishing of material and the construction of said free turnpike road, the commissioners

shall be governed by the laws of Ohio, in regard to the letting of contracts for the construction of free turnpikes.

SECTION 6. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892.
334L

[House Bill No. 755.]

AN ACT

To create a special school district in Marion township, Franklin county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the territory comprising that portion of Marion township, Franklin county, Ohio, range twenty-two (22), township five (5), being parts of sections three (3), four (4) and nine (9), and bounded and described as follows, to wit: Beginning at a point in the corporation line of the city of Columbus, east of the union depot, Columbus, Ohio, intersection of Pittsburgh, Cincinnati, Chicago & St. Louis railway, Cleveland, Cincinnati, Chicago & St. Louis railway and University street; thence north along the center of said Cleveland, Cincinnati, Chicago & St. Louis railway to Fifth avenue; thence east with the center of Fifth avenue to the center of Joyce avenue; thence south to the center of Bliss street; thence east from the center of Bliss street to the center of Bennett street; thence south with the center of Bennett street to the center of Leonard avenue; thence southwest with the center of Leonard avenue to the south line of section 3; thence west with said section line to the intersection of the Pittsburgh, Cincinnati, Chicago & St. Louis railway; thence along said Pittsburgh, Cincinnati, Chicago & St. Louis railway to the place of beginning, be and the same is hereby erected and declared to be and to constitute a school district to be known as the St. Clair special [school] district.

SECTION 2. This board of education shall consist of six members, who shall be residents of the district, and have the qualifications of an elector therein. This section shall be governed by such laws as are and may be in force relating to special school boards.

SECTION 3. Such special school district shall be entitled to receive funds levied for school-houses, and its proportionate share of school funds, and funds for incidental expenses, in accordance with the enumeration for the year 1891, of children who are entitled to attend school; said funds being those now collected within the county and township treasuries, and shall be governed by such laws as now are or may hereafter be in force relating to special school districts.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892.
335L

[House Bill No. 789.]

AN ACT

To authorize the commissioners of Clermont county, Ohio, to construct a certain free turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Clermont county, Ohio, be and they are hereby authorized to construct the following free turnpike, to-wit: Beginning at the Milford and Chillicothe turnpike road at a point at or near the Hartman school-house in Jackson township in said county; thence north with the line of what is known as Hartman school-house road to Zion's school-house; thence north-west with said road until the same intersects with the Newtonsville and Laurel free turnpike road.

SECTION 2. Said commissioners may, in their discretion, order at once the building of said road, but before ordering said road, shall require donations of not less than twenty per centum of the estimated cost thereof, and may issue bonds for the construction of same, bearing not more than six per cent. interest. Said bonds shall not be sold for less than their par value.

SECTION 3. For the purpose of paying said bonds and the interest thereon the said commissioners may levy a tax not exceeding one-half of one mill on all of the taxable property of said county.

SECTION 4. A majority of said commissioners may at any regular or special session agree upon plans and specifications and order said improvements or any part thereof.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives
ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892.
336L

[House Bill No. 790.]

AN ACT

To authorize the commissioners of Clermont county, Ohio, to construct a free turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Clermont county, Ohio, be and they are hereby authorized to construct a good, substantial free turnpike road, the whole or any part thereof in said county, along the following route, viz: Commencing at the intersection of the north side Big Indian road with the Neville and Boatrun free turnpike in the village of Point Pleasant, thence east up the Big Indian valley to an intersection with the Call Cleasure creek road, thence by the best and most practicable route to an intersection at Laurel with the new pike that is about to be constructed through said village of Laurel.

SECTION 2. In laying out and establishing said turnpike road the

said county commissioners shall have power to locate the same, or so much thereof as they may deem proper, upon the present traveled road, and may alter, change or vacate any part or parts thereof, and are further authorized to lay out, locate and survey said turnpike through any improved or unimproved lands; and for that purpose shall have power to condemn and appropriate the necessary lands therefor in conformity with the statutes for appropriating private property to public purposes, and allow and settle directly all compensation for the same, together with damages such as may be deemed reasonable. Said road shall be opened not more than fifty feet wide nor less than thirty.

SECTION 3. For the construction of said road the commissioners may, if they deem it best, issue bonds; provided, they shall not bear interest above six per cent. per annum, nor be sold for less than par; and for the payment of said bonds, with interest thereon, the commissioners may levy and issue a tax not exceeding one-half ($\frac{1}{2}$) of one mill on all taxable property of the county in addition to taxes now allowed by law.

SECTION 4. Before proceeding to construct said road or any part of the same, the said commissioners shall require and secure from those interested in said improvement a subscription or donation equal to twenty per cent. of the aggregate cost thereof, to be used in its construction.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892.
337L

[House Bill No. 802.]

AN ACT

Amendatory of and supplementary to an act passed February 8, 1883, entitled "An act to provide for the construction of free turnpikes in Ottawa [county], Ohio," as amended March 30, 1888.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That an act passed February 8, 1883, entitled "An act to provide for the construction of free turnpikes in Ottawa [county,] Ohio," as amended March 30, 1888, be so amended and supplemented as to read as follows:

Sec. (8063—42). That the trustees of the townships of Danbury, Catawba Island, Portage, Bay and Erie in Ottawa county are hereby authorized (and the trustees of any other township in said county are hereby authorized upon the presentation to them of a petition signed by a majority of the taxpayers of said township praying for the same) to constitute said township into two road districts and only two. The supervisors of which shall, before entering upon their duties, execute a bond in the penal sum of one thousand dollars, payable to the trustees of said township, and conditioned upon the faithful discharge of their duties; and the said supervisors shall receive for their services the sum of two dollars per day for the time actually employed in working and supervising the work in their respective districts.

SECTION 2. The trustees of said townships of Danbury, Catawba Island, Portage, Bay and Erie are authorized (and the trustees of said other townships are authorized when petitioned as provided in section one of this act) to levy a tax not to exceed in any one year, five (5) mills on the dollar valuation of the taxable property of said township, for the purpose of grading, turnpiking or otherwise improving the highways or any portion of the same in said township, and the tax so levied may, upon the order of the trustees of such township, be discharged by labor under the direction of the supervisor of the district and general supervision of the trustees of the township as to time, rate per day and place for such labor; and the supervisor shall give to each person so performing labor [a] certificate, specifying the amount of tax so paid, and the township and district wherein such labor was performed, which certificate shall in no case be given for a greater sum than the tax charged against such person, and the county treasurer shall receive all such certificates as money in the discharge of said road tax; provided however that said tax shall not be assessed upon any property which is being assessed under the provisions of chapter 9, title of the Revised Statutes of Ohio, chapter 9, Sec. 8063—42.

SECTION 3. The trustees of any of said townships of Danbury, Catawba Island, Portage, Bay and Erie may, if they choose, pay to the trustees of any other township of said townships of Danbury, Catawba Island, Portage, Bay and Erie, such sum of money out of said tax as they deem proper, for the purpose of turnpiking and improving any road or portion of a road in said other township and said money so received by said trustees shall be applied to the turnpiking and improving of the road or portion of road designated by the trustees of the township paying said money.

SECTION 4. Said original act so amended March 30, 1888, is hereby repealed.

SECTION 5. This act shall take effect and be in force on and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892.
338L

[House Bill No. 805.]

AN ACT

To authorise the trustees of Blanchard township, Putnam county, Ohio, to issue bonds for certain purposes therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Blanchard township, Putnam county, Ohio, be and they are hereby authorized to issue and sell the bonds of said township in the sum of four thousand ($4,000) dollars, for the purpose of providing a township cemetery, a receiving vault and sexton house, and improving the grounds.

SECTION 2. Said bonds when issued and sold shall be known as "cemetery bonds" and shall be in denominations of five hundred ($500)

dollars each, and shall be made payable not later than fifteen (15) years from the date of their issue. They shall bear interest at a rate not exceeding six per cent. per annum, payable semi-annually, and shall not be sold for less than their face value. They shall be signed by the board of trustees of said township and attested by the township clerk, and shall have interest coupons attached. The principal and interest of said bonds shall be made payable at the bank of Spitzer & Co , Toledo, Ohio.

SECTION 3. That for the purpose of meeting the principal and interest of said bonds and to further provide for maintaining said cemetery and grounds, the said board of trustees of said township shall levy annually upon all the taxable property in said township not to exceed three mills upon each dollar of valuation of property therein.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892.
339L

[House Bill No. 826.]

AN ACT

To authorize the commissioners of Franklin county to reimburse John W. Oyler for injuries sustained while acting as special constable in Blendon township in said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Franklin county be and they are hereby authorized and empowered to reimburse and pay to John W. Oyler out of the general expense fund the sum of six hundred dollars ($600.00), for injuries sustained by him while acting in his official capacity as special constable in and for said township of Blendon, in arresting one Frank Hesler on a warrant issued by George S. Dusenbery, justice of the peace in and for said township of Blendon.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892.
340L

[House Bill No. 835.]

AN ACT

To authorize the board of education of Fremont, Sandusky county, Ohio, to issue bonds for the purpose of completing the school buildings now in course of erection.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of Fremont, Sandusky county, Ohio, be and

hereby are authorized to issue and sell bonds of said city to the total amount not to exceed twelve thousand ($12,000) dollars, for the purpose of completing and furnishing the school buildings now in course of erection.

SECTION 2. That for the purpose aforesaid, the said board of education are hereby authorized to issue bonds not exceeding twelve thousand dollars, to be signed by the president and attested by the secretary of said board, of such denominations as said board may by resolution prescribe. Said bonds shall bear interest at a rate not to exceed six per cent. per annum, payable semi-annually, and to be payable at such time or times, not exceeding ten (10) years from the date of issue, as may be determined by said board of education Said bonds shall not be sold for less than their par value, and shall have interest coupons attached.

SECTION 3. Said board of education are hereby authorized and empowered to levy in addition to the amount already authorized by law to be levied for school purposes, such tax as may be necessary to pay said bonds and interest at maturity.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892.
341L

[House Bill No. 864.]

AN ACT

To authorize the board of education of Jefferson township, Crawford county, Ohio, to borrow money and issue bonds for the purpose of paying indebtedness incurred in building a school-house and for tuition purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That the board of education of Jefferson township, in the county of Crawford, state of Ohio, be and is hereby authorized to borrow any sum of money not exceeding one thousand dollars ($1,000) for the purpose of paying indebtedness incurred in building a school-house and for tuition purposes.

SECTION 2. That for the purpose aforesaid, the said board are hereby authorized to issue bonds, not exceeding one thousand dollars in amount, to be signed by the president and attested by the clerk of the board, in sums of not more than five hundred dollars, nor less than one hundred dollars, bearing interest not to exceed six per cent. per annum, payable semi-annually; said bonds to be made payable at such time or times not exceeding five years from the respective dates thereof, as said board may determine, and said bonds shall not be sold for less than their par value.

SECTION 3. Said board shall annually thereafter, cause the necessary taxes to be levied, to pay the interest on said bonds and to pay the principal thereof, as the same shall become due, in the manner provided by law for levying and collecting taxes.

SECTION 4. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892.
342L

[House Bill No. 865.]

AN ACT

To authorize the county commissioners of Cuyahoga county to appropriate $2,000 to repair buildings at the county fair grounds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Cuyahoga county be and the same are hereby authorized and empowered to appropriate out of any funds not otherwise appropriated the sum of $2,000 for repairing the buildings in the county fair grounds at Chagrin Falls.

SECTION 2. This act shall be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892.
343L

[House Bill No. 870.]

AN ACT

To divide Mifflin township, Franklin county, Ohio, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the township of Mifflin, Franklin county, Ohio, be divided into two election precincts, by a line running north and south parallel with the east and west lines of said township, and midway between the same. All that part of said township lying east of said line and composing the northeast quarter and the southeast quarter of said township number 1, range 17, U. S. M. L., shall be known as the east precinct; and all of that part lying west of said line and composing the northwest quarter and the southwest quarter shall be known as the west precinct.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892.
344L

[House Bill No. 874.]

AN ACT

For the relief of Alexander McCullough of Guernsey county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Guernsey county, Ohio, are hereby authorized, upon an order of the court of common pleas of said county, to refund to Alexander McCullough $113 30, with interest, the same being the amount paid by said Alexander McCullough as surety for James Hahn (or Haun), a defendant whom said McCullough produced in court at his own expense soon after a record of forfeiture was made against him in said court.

SECTION 2 This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892
345L

[House Bill No. 875.]

AN ACT

To reimburse John Hurrel and Henry E Hamilton on account of money paid for Theodore Wells, late treasurer of Adams township, Guernsey county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Adams township, Guernsey county, Ohio, are hereby authorized to fully reimburse John Hurrel and Henry E. Hamilton for the payment of $700.00 and interest, being the amount paid by them on account of Theodore Wells, late defaulting treasurer of said township; provided, that the said trustees shall submit said proposition to reimburse, upon ten days' notice being given in two newspapers of opposite politics, and of general circulation, and posted in five conspicuous places in said township, to the qualified electors of said township at any regular or special election, and a majority of said electors at such election shall declare in favor of such reimbursement; and those favoring such reimbursement shall have written or printed on the tickets voted by them the words "Reimbursement—Yes," and those opposed "Reimbursement—No." That for the purpose of meeting the expense aforesaid the said trustees are authorized to levy a tax on all the taxable property of said township for such sum not exceeding two mills on the dollar annually in addition to the taxes now authorized by law to be levied, which levy shall be placed on the duplicate by the auditor of Guernsey county, collected as other taxes, and when collected paid over to the treasurer of said Adams township

SECTION 2. This act shall take effect from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892.
346L

[House Bill No. 919.]

AN ACT

To authorize the county commissioners of Darke county to vacate a certain county road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of county commissioners of Darke county, Ohio, be and they are hereby authorized, empowered and required, as herein provided, to vacate and abolish the following county road in said county, to-wit: Commencing at the southeast corner of section thirty-five of township eleven, range two east, thence north along the east line of said section thirty-five to the northeast corner thereof. But such road shall not be vacated unless there shall be filed with the auditor of said county, a petition praying for such vacation, signed by not less than a majority of the freeholders owning land abutting on, and adjacent to, said line of road; nor until said petitioners shall repay to any person all money he may have expended for the payment of compensation or damages for land taken in establishing said road. And said commissioners may require reasonable notice in writing, not exceeding thirty days, of the filing of such petition, to be given to all of the freeholders owning lands abutting on, [and] adjacent to, said line of road.

SECTION 2. This act shall be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892.
347L

[House Bill No. 931.]

AN ACT

To authorize the council of the village of Milton to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of Milton, Miami county, Ohio, be and they are hereby authorized to transfer the sum of eight hundred dollars from the gas fund to the general improvement fund.

SECTION 2. This act to take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892.
348L

[House Bill No. 932.]

AN ACT

To authorize the trustees of Union township, Miami county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Union township, Miami county, Ohio, be and they are hereby authorized to transfer the sum of one thousand dollars from the road fund to the township fund.

SECTION 2. This act to take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892.
349L

[House Bill No. 935.]

AN ACT

To authorize the council of the village of Lexington, Richland county, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Lexington, Richland county, Ohio, be and is hereby authorized to transfer one hundred and fifty ($150) dollars from the fire fund to the street improvement fund and three hundred and fifty ($350) dollars from the general fund to the street improvement fund.

SECTION 2. This act shall take effect on its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892
350L

[House Bill No. 948.]

AN ACT

To authorize the incorporated village of Columbiana, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of Columbiana, county of Columbiana, and state of Ohio, be and they are hereby authorized to transfer the sum of one thousand ($1,000.00) dollars from the general fund to the street fund of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892.
351L

[House Bill No. 949.]

AN ACT

To authorize the trustees of Harrison township, Henry county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Harrison township, Henry county, Ohio, be and they are hereby authorized to transfer the sum of two hundred ($200) dollars from the bridge fund to the township fund of said township.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892.
352L

[House Bill No. 950.]

AN ACT

To authorize the commissioners of Stark county to issue bonds, purchase site, erect work-house and for the government of the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Stark county be and they hereby are authorized to purchase a site and erect thereon a building to be used as a work-house for Stark county, Ohio, not to exceed in value the sum of $50,000.00.

SECTION 2. That for the purpose of raising money to discharge the obligation incurred by the purchasing of such site and erecting such work-house, the commissioners of said county are hereby authorized, empowered and required to issue and sell forthwith, at public or private sale, the bonds of said county not exceeding in amount $50,000.00.

SECTION 3. Said bonds shall be of such denominations as the commissioners shall deem proper; shall run any length of time not exceeding ten years; shall bear interest not exceeding six per cent per annum, payable annually, and shall be sold at not less than par.

SECTION 4. When any bonds are sold under the provisions of this act by said commissioners, the money arising therefrom shall be paid into the county treasury to the credit of the work-house fund, and shall be expended, so far as necessary, for the purpose of satisfying the obliga-

tions incurred by said board in purchasing said site and erecting thereon said work-house.

SECTION 5. Said commissioners are hereby authorized to levy a tax, if necessary, on all the taxable property of said county, for the purpose of paying the bonds and interest issued under the provisions of this act, which tax shall be apportioned in each year to the number of years said bonds are to run.

SECTION 6. Said commissioners shall have full management and control of the location and erection of the same, being governed by the laws regulating contracts for the building of county jails and infirmaries.

SECTION 7. After the erection of the same and when the same is ready for use, the direction, management and control of said work-house, and maintenance and care of convicts therein, shall be vested in a board of five directors, who shall be called the board of work-house directors; and such directors shall be freehold electors of said county and be appointed by the board of commissioners, not more than three of whom shall be of the same political party. Said appointment shall be for five years, except that, at the first appointment, one director shall be appointed for one year; one for two years; one for three years; one for four years, and one for five years, and thereafter one shall be appointed annually, and the members of such board shall serve without pay, but their actual necessary expenses shall be paid by the county.

SECTION 8. The board of directors of said work-house shall make and establish rules and regulations for the governing of said work-house, and the persons sentenced to said work-house shall be received therein, and shall there be kept and confined at labor, and shall be subject to the rules, regulations and discipline thereof, until the expiration of his sentence, or be discharged according to law.

SECTION 9. The officer having the execution of the final sentence of any court, magistrate, or mayor, shall cause the convict to be conveyed to the work-house as soon as practicable after the sentence is pronounced; and all officers shall be paid the fees allowed therefor by law for similar offenses in other cases; such fees to be paid, when the sentence is for the state offenses, out of the county treasury, and for a violation of an ordinance, out of the corporation treasury from which such committal was made.

SECTION 10. The board of directors shall elect one of their number as president of said board, who shall preside over their meetings, and shall hold his office for one year; and at the same meeting said board shall appoint one of their number secretary, who shall make a complete record of all its proceedings, and said board may fix a certain annual salary to be paid quarterly to such secretary, who shall serve one year; at the same meeting said board shall elect a suitable person, having the proper qualifications and not a member or relative of any member of said board, as superintendent of such work-house and the premises connected therewith, who shall oversee the work of the convicts according to the rules and regulations of said work-house, and who shall reside in the work-house and receive a salary to be fixed by said board not to exceed $1,000.00 per year and his light and fuel.

SECTION 11. In addition to the appointment of the officers mentioned in the preceding section, said board shall have power to appoint such subordinate officers, guards and employes, as may be necessary; fix their compensation and prescribe their duties, and to make all such regulations for their management and government as it may deem expedient.

SECTION 12. The board shall have power to make, establish and enforce rules and regulations for its own government and the government and control of the institution, its officers and inmates, and make contracts for supplies and the labor of its inmates.

SECTION 13. The books of the institution shall be so kept as to clearly exhibit the time, state and condition of the inmates, the number received and discharged, and by what court, and for what cause committed, the length of time of the commitment of each person, the number of days' labor performed by each convict, and the nature and value of such labor to such institution, and the relative costs and expenses incurred by the institution in managing and taking care of said convict, and the number employed in each branch of industry carried on, and the receipts from and expenditures for and on account of each department of business.

SECTION 14. The board shall cause quarterly statements to be made, specifying minutely all receipts and expenditures, from whom and for what purpose received, and to whom and for what purpose paid, with proper vouchers for each item, and submit such statement, properly certified, to the commissioners of such county, for their examination and approval

SECTION 15. Contracts may be made by, or on behalf of the board, but it shall be essential to the validity of every such contract, that the same be assented to at a regular meeting by a majority of all the members, and a minute thereof entered on the journal of its proceedings.

SECTION 16. The superintendent of such work-house shall have the control and management of its affairs, subject to the laws of the state, and the rules and regulations adopted by the board for its government. And it shall be his duty to obey all written orders and instruction of the board not inconsistent with the laws, rules and regulations relating to the government of the institution.

SECTION 17. The superintendent shall be responsible for the manner in which the institution is managed and conducted; shall reside at the same; devote his time and attention to the proper business thereof, and visit and examine into the condition of every department thereof, and of each person confined therein, daily, or as often as good order or necessity may require, and he shall exercise a general supervision and direction in regard to all matters of discipline, police regulation and business of the institution.

SECTION 18. In the absence of the superintendent, or during his inability from any cause to attend to his duties, the board of directors shall appoint some suitable person to perform his duties.

SECTION 19. The board for misconduct or wilful neglect of duty, and upon sufficient proof thereof, may remove any officer or employe of the institution, but no officer shall be removed by the board until he has had an opportunity to be heard in his defense.

SECTION 20. The cost of maintaining such county work-house, over and above the proceeds arising from the income thereof, shall be borne by such county, and such expenses shall be paid quarterly by such county out of the treasury thereof, upon the certificate of the secretary of such work-house, on the approval of the commissioners of such county; and the board of county commissioners of any county having a work-house are hereby authorized and required to levy upon the general tax duplicate such

sum as may be necessary, not exceeding one mill on the dollar valuation, for the aforesaid maintenance.

SECTION 21. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892.
853L

[House Bill No. 952.]

AN ACT

To authorize the council of the incorporated village of Graysville, Monroe county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That the council of the incorporated village of Graysville, Monroe county, Ohio, be and is hereby authorized to transfer one hundred and fifty dollars ($150 00) from the general revenue fund to the school fund of Graysville village school district, Monroe county, Ohio.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892.
854L

[House Bill No. 953.]

AN ACT

To authorize the board of education of Graysville village school district of Monroe county, Ohio, to increase the tax levy of said district.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That the board of education of the village school district of the village of Graysville, in Monroe county, Ohio, be and is hereby authorized to levy a tax not exceeding three mills annually on all the taxable property in said school district in addition to the levy now authorized by law, for the purpose of supporting the school of said district; provided, however, that said board of education shall first submit the proposition to make such additional tax levy to the qualified voters of said district at a general or special election, after giving at least ten days' notice thereof by posting in five public places in said district written or printed notices. Those voting in favor of said tax shall have written or printed on their ballots "School tax—Yes," and those opposed "School tax—No." If a majority of the votes so cast at said election shall be found in favor of said tax,

then said additional levy may be made and collected in the same manner as taxes for school purposes are levied and collected.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892.
355L

[House Bill No. 954.]

AN ACT

To authorize the town council of the village of Dresden, Muskingum county, to transfer certain funds known as town hall funds to the general village fund, and one-half of the police fund to the light fund.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of Dresden, Muskingum county, be and they are hereby authorized to transfer the amount of any fund or funds raised for the purpose of erecting a town hall in said village to the general village fund, and to also authorize said council to transfer four hundred dollars of the police fund of said village to the light fund of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892.
356L

[House Bill No. 955.]

AN ACT

To authorize the board of education of the Norwich village school district in Union township, Muskingum county, Ohio, to issue bonds to purchase grounds and erect thereon school buildings and to furnish the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the Norwich union school district of Union township, Muskingum county, Ohio, be and hereby is authorized to issue bonds, in a sum not exceeding the sum of six thousand ($6 000 00) dollars, bearing interest at a rate not exceeding six per cent. per annum, and redeemable at a period not exceeding fifteen (15) years from date of issue.

SECTION 2. Said bonds shall be signed by the president of said board of education of said village school district, and countersigned by the clerk of said board, and shall be made payable at such place or places as the board of education of said village school district shall provide, and

said bonds shall not be sold at less than their par value, and may be issued and sold at such times and places and in such amounts as the board of education of said village school district may provide.

SECTION 3. Before said board of education of said village school district shall issue the bonds herein provided for, the proposition shall be submitted to the qualified electors of said village school district at any general or special election called for that purpose, at least ten days' notice being given of such election. The election shall be held at the usual place of holding elections in said township, and said election shall be held within ninety days from the passage of this act, and all electors favoring said proposition shall have written or printed on their ballots "Issue bonds to purchase grounds and erect thereon school buildings—Yes," and those opposed "Issue bonds to purchase grounds and erect thereon school buildings—No;" and should a majority of the electors voting upon such proposition vote "Yes," then said board of education may issue and sell said bonds, and purchase grounds and erect thereon school buildings, as provided in this act.

SECTION 4. To pay said bonds and the interest thereon said board of education is authorized to levy a tax not exceeding seven (7) mills on the dollar annually, in addition to that already authorized by law on property subject to being taxed for the said purposes.

SECTION 5. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892.
357L

[House Bill No. 959.]

AN ACT

To authorize the board of education of the village of Freeport, Wood county, Ohio, to levy a tax to supply a deficiency in the contingent school fund of said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the village of Freeport, Wood county, Ohio, be and the same hereby is authorized and empowered to levy a tax, in addition to that now authorized by law to be levied, of two mills, to be levied as follows, to-wit: During the years 1892 and 1893; and said tax levy is to be placed to the credit of, and expended from, the contingent school fund of said village.

SECTION 2. This act shall take effect and be in force from and after its passage.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Passed April 18, 1892.
358L

JOINT RESO

[Senate Joint Resoli

JOINT RESOI

Relative to appointing a committee from the sen
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communication from him.

Resolved, That a committee of three
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Adopted January 21, 1892.

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inauguration of the governor-elect, on

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Adopted January 21, 1892.

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Relative to the meeting of the senate and t
Wednesday, January 6th, to cou

Resolved by the General Assembly o
and house of representatives of the g

vention in the hall of the house of representatives on Wednesday, January 6 inst., at 11 o'clock, a. m., to witness the opening and publishing of the returns and declaring of the results of the last election for state officers, in accordance with the provisions of the constitution and statutes of Ohio.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Adopted January 21, 1892.

[House Joint Resolution No. 5.]

JOINT RESOLUTION

Relative to the meeting of both houses of the general assembly in joint assembly for the purpose of taking such action relative to the election of a United States senator as is provided by law.

Be it resolved by the General Assembly of the State of Ohio, That the members of the two branches of the general assembly convene in joint assembly in the hall of the house of representatives, at 12 o'clock, m., on Wednesday, January 13, 1892, for the purpose of taking such action relative to the election of a United States senator in congress as is provided by law.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Adopted January 21, 1892.

[House Joint Resolution No. 8.]

JOINT RESOLUTION

Authorizing and directing the appointment of a committee to make an examination of the sanitary condition of the state-house, and report to this general assembly.

Be it resolved by the General Assembly of the State of Ohio, That there shall be appointed a joint committee consisting of five members of the house of representatives, to be named by the speaker, three members of the senate, to be named by its president, the secretary of the state board of health, the chief inspector of workshops and factories, and the state-house engineer, to examine and inquire into the sanitary condition of the state-house and to make a complete report in detail to this general assembly of the result, together with such recommendations as they may deem necessary to place the state-house in a good sanitary condition. The said committee shall proceed to make such sanitary examination as soon as possible, and are hereby authorized to incur such expense as may be nec-

essary to make an accurate, complete and
port of the sanitary condition of the state

Spea

Adopted February 2, 1892.

[House Joint Resoluti

JOINT RESOL

Instructing the senators and requesting the repr
with reference to Temple farm and

WHEREAS, The Moore house and
situated, at Yorktown, Virginia, will ca
the memories of the siege and victory
France and the American colonies secure

WHEREAS, During the recent cente
the citizens and representatives of the re
States of America, the hope was expre
officers of both France and America, wh
thousand seven hundred and eighty-one
be preserved and perpetuated as a memo
then and ever since has existed between
well as in respect to the memories of t
struggle that ended the protracted war a
impoverished people; and

WHEREAS, It is stated the property
nominal sum, and that the product of
to preserve and keep the buildings in re
to be well adapted for government purp
tions and reviews on York river; and

WHEREAS, The sentiment expresse
republic and descendants of French off
at Yorktown during their recent visit t
ebration, in conjunction with the desce
that this government should take charg
the property, and believing this to be a
people in general; therefore,

Be it resolved by the General Assem
United States senators from the state o
structed and the representatives in cong
port a bill for the purchase of the T
Yorktown, Virginia, by the governmer
provided, the cost of the said farm and
a reasonable price.

Resolved, That engrossed copies of this preamble and joint resolution be sent to the United States senators and representatives in congress from the state of Ohio.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Adopted February 4, 1892.

[Senate Joint Resolution No. 4.]

JOINT RESOLUTION

Relative to appointing a joint committee to report rules for both houses.

Be it resolved by the General Assembly of the State of Ohio, That a joint committee of three on the part of the senate and five on the part of the house of representatives be appointed to prepare and report joint rules for the two houses.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Adopted February 10, 1892.

[House Joint Resolution No. 9.]

JOINT RESOLUTION

Relative to a bill introduced into congress.

WHEREAS, A bill has been introduced into congress providing for an amendment to the constitution of the United States, so that United States senators shall be elected by direct vote of the people, and not by legislatures; and

WHEREAS, We believe that this mode of election would be more acceptable to the people than the present mode; therefore,

Be it resolved, That our senators and representatives in congress be requested to use their best efforts to secure this amendment.

LEWIS C. LAYLIN.
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Adopted February 10, 1892.

[House Joint Resolution No. 14.]

JOINT RESOLUTION

Removing Floyd M. Davis from the Clark county infirmary.

WHEREAS, Floyd M. Davis [is] now confined in Clark county infirmary; and

WHEREAS. The said Floyd M. Davis, having lost his residence by removal from Greene county, Ohio, to the state of Kansas, and remaining in said state for a period of more than two years, thereby losing his right to admission to any of the asylums of the state of Ohio; and

WHEREAS. The said Floyd M. Davis having returned from the state of Kansas to Clark county, Ohio, and having been adjudged insane by the probate court of said county, and by order of said court is now confined in the infirmary of Clark county; therefore,

Be it resolved by the General Assembly of the State of Ohio, That the superintendent of the Dayton asylum for the insane be and he is hereby authorized and required to admit the said Floyd M. Davis to said asylum for treatment, and the probate judge of said county of Clark is directed to issue his order to the superintendent of said infirmary to remove said Floyd M. Davis from said infirmary to said Dayton asylum for the insane.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate

Adopted February 12, 1892.

[Senate Joint Resolution No. 8.]

JOINT RESOLUTION

Relative to appointing a committee to investigate the leasing of lands belonging to the state of Ohio.

WHEREAS, The canal commissioners and board of public works of the state of Ohio have leased state lands for gas purposes, under an act of the general assembly, passed April 12, 1889; and

WHEREAS, It is reported and generally known that the lands leased by said board and commission for gas purposes have been and are producing large quantities of oil, and that the same is being disposed of by the lessees; and

WHEREAS, It is believed that the oil so taken from the state lands and disposed of without authority of law has amounted to many thousands of dollars, and that the state has received no compensation; therefore,

Be it resolved by the General Assembly of the State of Ohio, That the president of the senate and speaker of the house appoint a committee of three on the part of the senate and five on the part of the house to investigate and report to the senate and house the number of leases made by the aforesaid board and commission for gas purposes to date; the number of such leases on which gas is produced, the number of such leases on which oil is produced, the amount of oil that has been produced on such lands, and the disposition of the same, and what, if any, compensation

the state has received for the oil which has been produced and disposed of by the lessees.

Resolved, further, That the board of public works and canal commissioners be called on to furnish the committee all information they have at their command bearing upon the work of the committee, and the facts sought to be ascertained by this investigation.

Resolved, That the committee is hereby authorized and empowered to subpœna and compel the attendance of witnesses, and to call for and receive all papers and documents necessary to make a full and complete investigation.

Resolved, That if the committee, after a full and thorough investigation, are satisfied that oil has been taken from state lands without authority of law, and been disposed of without full and adequate compensation to the state, that they recommend what, if any, steps should be taken by the state to compel persons or corporations who have produced and disposed of the oil to make a settlement for the same with the state.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMPSON,
President pro tem. of the Senate.

Adopted February 18, 1892.

[House Joint Resolution No. 15.]

JOINT RESOLUTION

Providing for a committee to prepare amendments to the Australian ballot law.

WHEREAS, The standing committee on elections has been kept busy in hearing contest election cases, and has not yet completed such work; and

WHEREAS, There have been numerous bills referred to said committee amending the so-called Australian ballot law; and

WHEREAS, The said committee on elections will not be able for several weeks to give such bills the attention that they should receive;

Be it resolved by the General Assembly of the State of Ohio, That the president of the senate and the speaker of the house each appoint two members to constitute a committee to prepare such amendments to said Australian ballot law as may be necessary, and embody the same in a bill to be presented to the general assembly for its action, and that the committee on elections in the house and the committee on privileges and elections in the senate be relieved from further considering such bills relating to the above subject as may be before them and that they be referred to the committee provided for in this resolution.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Adopted February 19, 1892.

[House Joint Resolution No. 13.]

JOINT RESOLUTION

Relative to Christopher Froneberger.

WHEREAS, Christopher Froneberger of Muskingum county, Ohio, is insane; and

WHEREAS, He is confined in the county infirmary of Muskingum county, Ohio, where proper care and attention can not be given suitable to his condition; and

WHEREAS, Under the statutes now in force in the state of Ohio, the said Christopher Froneberger is ineligible to admission to any insane asylum in this state, for the reason that he is not a legal resident of this state; therefore,

Be it resolved by the General Assembly of the State of Ohio, That the superintendent of the Columbus asylum for the insane be and he is authorized and required to receive said Christopher Froneberger as an inmate of said asylum.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Adopted February 24, 1892.

[House Joint Resolution No. 18.]

JOINT RESOLUTION

Authorizing the secretary of state and the attorney-general to act with the committee appointed under H. J. R. No. 15.

Be it resolved by the General Assembly of the State of Ohio, That the secretary of state and the attorney-general be and they are hereby authorized and instructed to act in an advisory capacity with the joint committee appointed under house joint resolution No. 15, to prepare such amendments to the Australian ballot law as may be necessary and embody the same in a bill to be presented to the general assembly at as early a date as possible.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Adopted February 24, 1892.

[House Joint Resolution No. 23.]

JOINT RESOLUTION

Relative to the time of adjournment Friday, Feb. 19, 1892.

Be it resolved by the General Assembly of the State of Ohio, That when the senate and house adjourns at noon Friday, Feb. 19. it be until 4 o'clock Tuesday, Feb. 23, on account of Washington's birthday.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Adopted February 24, 1892.

[House Joint Resolution No. 25.]

JOINT RESOLUTION

Authorizing a joint committee to hire a stenographer.

WHEREAS, By joint resolution of the 70 h general assembly, a committee of three on the part of the senate and five on the part of the house have been appointed to investigate oil and gas land leases made by the board of public works and the canal commission, it has been found necessary by said joint committee, for the proper performance of its work, to employ a stenographer; therefore,

Be it resolved by the General Assembly of the State of Ohio, That said joint committee is authorized to employ a competent stenographer, and that compensation for such services be paid from the legislative fund heretofore appropriated.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Adopted March 4, 1892.

[Senate Joint Resolution No. 11.]

JOINT RESOLUTION

Relative to swamp lands.

WHEREAS, It is reported and generally known that a large portion of the lands known as "swamp and overflowed lands," granted to the state of Ohio by an act of congress September 28, 1850, has been sold to persons through fraudulent representations; and

WHEREAS, Said lands are now held and possessed by said persons or their heirs and assignees without warrant of law; therefore,

Be it resolved by the General Assembly of the State of Ohio, That a committee of three from the senate, appointed by the president of the senate, and five from the house of representatives, appointed by the speaker, to investigate

and report to the senate and house the number of acres sold by the general government, amount received for the same, and nature of entries, also to investigate by what authority persons are now holding said lands not sold by the general government, and advise in said report what action should be taken by the general assembly to recover said lands to the state.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Adopted March 8, 1892.

[House Joint Resolution No. 27.]

JOINT RESOLUTION

Relative to distribution of state geological reports.

Be it resolved by the General Assembly of the State of Ohio, That the secretary of state is hereby directed to distribute to each member of the 70th general assembly ten copies of the first annual report of the geological survey of Ohio, and that in addition thereto ten copies shall be delivered to the state geologist.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Adopted March 10, 1892.

[House Joint Resolution No. 12.]

JOINT RESOLUTION

Requesting the commissioners in charge to close the world's Columbian exposition on the Sabbath day.

Be it resolved by the General Assembly of the State of Ohio, That the commissioners having in charge the world's Columbian exposition be and they are hereby earnestly requested to exercise the authority vested in them in closing the gates of said exposition on the first day of the week, commonly called Sunday, in accordance with the law of God, the rights of man, and the precedents of our American history. That the governor be requested to transmit to the proper officers of said commission a copy of this resolution.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Adopted March 22, 1892.

[House Joint Resolution No. 16.]

JOINT RESOLUTION

For printing seven thousand five hundred copies of W. A. Taylor's "hundred-year book."

Be it resolved by the General Assembly of the State of Ohio, That there be printed for the use of the general assembly and the secretary of state seven thousand five hundred (7,500) copies of W. A. Taylor's "Ohio statesmen and hundred-year book," which shall be bound in substantial library cloth and distributed as follows: To each senator and representative in the seventieth general assembly, thirty (30) copies; to each state officer, five (5) copies; to each officer of the seventieth general assembly, one (1) copy; to the state library, one hundred (100) copies; two hundred and fifty (250) copies to be sent by the author at his own expense to each of the daily and weekly newspapers of the state; the residue to be placed in the custody of the secretary of state, to be sold by him at a price in his discretion, not to exceed one dollar and fifty cents ($1.50) by the single copy, with discretionary but uniform discount when sold in lots, the proceeds arising therefrom to be covered into the treasury of the state and credited to the general revenue fund; and that the author, as compensation for furnishing the matter for said publication and supervising the proof-reading and printing of the same, according to the discretion of the supervisor of public printing, be allowed the sum of twenty cents per copy for the number of copies so published.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Adopted March 22, 1892.

[House Joint Resolution No. 29.]

JOINT RESOLUTION

For printing extra copies of amended H. B. 14 and amended H. B. 188.

Be it resolved by the General Assembly of the State of Ohio, That the secretary of state be instructed to print 10,000 copies each of amended H. B. 14 and amended H. B. 188, and that 50 copies of each be forwarded by him to the address of each member of the general assembly, and that the remaining number be delivered to the state commissioner of common schools.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Adopted March 29, 1892.

[Senate Joint Resolution No. 18.]

JOINT RESOLUTION

Relative to printing election laws.

Be it resolved by the General Assembly of the State of Ohio, That the secretary of state be and is hereby directed to have printed in the earliest possible time ten thousand copies of the acts passed by the general assembly applicable to the April elections in townships and certain municipalities for immediate distribution to the clerks of the said townships and municipalities.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Adopted March 31, 1892.

[Senate Joint Resolution No. 16.]

JOINT RESOLUTION

Relative to urging Ohio congressmen to vote for an appropriation for the world's fair.

WHEREAS, The world's Columbian exposition authorized by the act of congress, approved April 25th, 1890, is by the terms of said act, made national and international, and its promotion is for and in the interest of all the people of the United States and to afford an opportunity to foreign governments and their people to join with the citizens of the United States in celebrating the four hundreth anniversary of the discovery of America by Christopher Columbus, by an exhibition of the evidence of the progress made in civilization throughout the world; and

WHEREAS, Said exhibition should be in all respects, scope and plan of such magnitude as the obvious spirit and intent of an act of congress demands and so as to decently comport with the dignity and honor of the United States; and

WHEREAS, Careful estimates of the cost and expense of making the necessary preparation for holding said exposition showed ten millions of dollars ($10,000,000) would be fully adequate and the said act of congress authorizing said exposition as aforesaid, provided that it should be located at the city of Chicago in the state of Illinois, on condition that the citizens of said city would furnish a suitable site and provide said sum of ten million ($10,000,000) dollars for the purpose of completing the preparation of holding the said exposition; and

WHEREAS, The citizens of the city of Chicago accepted the terms of said act and have in a patriotic, just and liberal spirit, complied with the conditions thereof, having furnished an exceptionally eligible site and provided more than ten million ($10,000,000) dollars and made most commendable progress with the work of preparation in accordance with a plan and scope adjudged by the national commission, appointed by the government of the United States to act in that behalf, to be commensurate with the requirements of the act hereinbefore mentioned; and

WHEREAS, The marvelous development in the useful arts and sciences, and the progress made in every department of human endeavor, and the great interest felt and taken by the governments of other nations

and the people thereof, fifty-nine nations having accepted the invitation of the government of the United States to attend and participate in said exposition rendered it necessary in order to meet the ascertained necessities of the occasion and properly comply with the true spirit of the act of congress to greatly enlarge the scope and plan, and increase the facilities for installing exhibits beyond what was at the date of the passage of said act of congress deemed adequate, involving an outlay of at least eighteen million ($18,000,000) dollars, being eight million ($8,000,000) dollars in excess of the amount originally estimated and required by said act and which the citizens of Chicago undertook to pay; and

WHEREAS, We are informed that the world's Columbian exposition having immediate charge of the work in preparation for holding said world's Columbian exposition, have petitioned congress to aid in defraying the increased cost over and above the sum fixed by the act before mentioned as sufficient for making complete preparation for inaugurating and holding the exposition, in a manner required by the spirit and intent of said act by an appropriation of five million ($5,000,000) dollars, said sum to be disbursed by the government on approved estimates; and

WHEREAS, We believe that this national undertaking was conceived in a patriotic spirit, and if conducted in a manner and on a scope and plan commensurate with the dignity and resources of the nation and in harmony with the character and intelligence of our people, great good will result to the citizens of every section and state; and

WHEREAS, The citizens of Chicago having discharged the obligations assumed by them in a manner alike honorable to them and creditable to the nation, it is obviously unjust to impose on that single community the increased and unprecedented [burden] of paying the entire sum of eighteen million ($18,000,000) dollars to complete a national and international enterprise authorized and promoted by congress in the interest of all the people of the United States, and especially in view of the fact that the citizens of that community guarantee to provide the excess above the five million ($5,000,000) dollars, making the entire sum provided by the citizens of Chicago, thirteen million ($13,000,000) dollars; therefore,

Be it resolved by the General Assembly of the State of Ohio, That the senators and members of congress from Ohio be and they are hereby requested to vote for an appropriation of five million ($5,000,000) dollars or more, if need be, to aid in completing the work in preparation for holding said international exposition.

And be it further resolved, That a copy of this joint resolution be sent by the governor to each senator and each representative in congress from Ohio.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Adopted March 31, 1892.

[Senate Joint Resolution No. 19.]

JOINT RESOLUTION

Relative to printing report of bureau of building and loan associations.

Be it resolved by the General Assembly of the State of Ohio, That the supervisor of public printing be and is hereby directed to cause to be

printed the annual report of the bureau of building and loan associations, as follows: For the inspector, five thousand copies, two thousand of which shall be in the German language; for each member of the general assembly, fifteen copies.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Adopted April 12, 1892.

[Senate Joint Resolution No. 12.]

JOINT RESOLUTION

Relative to adjourning.

Resolved by the General Assembly of the State of Ohio, That the present session of the seventieth general assembly adjourn on Monday, April 18th, 1892, at 12 o'clock, m., to meet again on Tuesday, January 3d, 1893, at 4 o'clock, p. m.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ELBERT L. LAMISON,
President pro tem. of the Senate.

Adopted April 15, 1892.

[House Joint Resolution No. 37.]

JOINT RESOLUTION

Relative to authorizing the commissioner of railroads and telegraphs to cause certain railroad maps to be printed.

Be it resolved by the General Assembly of the State of Ohio, That in addition to the railroad maps of Ohio, authorized to be printed by section 63 of the Revised Statutes, as amended, the commissioner of railroads and telegraphs be and he is hereby authorized to have printed fifteen thousand additional maps, twelve thousand of which shall be mounted on pasteboard, and three thousand in pocket edition form; provided, that the cost of the additional maps shall not exceed one thousand dollars, and that the same be paid out of the printing fund; and provided, further, that of these additional maps each member of the general assembly shall receive eighty copies of those mounted on pasteboard, and twenty copies of the pocket edition.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Adopted April 16, 1892.

[Senate Joint Resolution No. 20.]

JOINT RESOLUTION

Authorizing the secretary of state to print the election laws.

Be it resolved by the General Assembly of the State of Ohio, That the secretary of state be and is hereby authorized to have printed, in pamphlet form, fifteen thousand copies of the election laws of Ohio; fifty copies of said pamphlets, when printed, shall be sent to each member of the general assembly, and the rest for general distribution. The expense for printing said pamphlets shall be paid out of any money appropriated for expenses of public printing.

ELVERTON J. CLAPP,
Speaker pro tem. of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Adopted April 18, 1892.

[House Joint Resolution No. 38.]

JOINT RESOLUTION

Directing the adjutant-general to replace a certain obstruction in the flue leading from the book-room of the state-house and placing a steam coil in said book-room.

WHEREAS, Senate joint resolution No. 50, O. L., vol. 84, page 451, adopted March 21st, 1887, authorizing the adjutant-general to remove an obstruction in the flue running from the grate in the book-room in the basement of the state-house;

WHEREAS, The adjutant-general, in carrying out the instructions contained in said senate joint resolution, destroyed the usefulness of the grate in the office of the treasurer of state directly over the said book-room;

WHEREAS, For the safe protection of the state's property two watchmen are required to remain all night in the said office of the treasurer of state, and as there is no means of heating this room since the grate was destroyed and gas taken out of the building;

Be it resolved by the General Assembly of the State of Ohio, That the adjutant-general be and he is hereby empowered and directed to replace said obstruction to said flue in the same condition it was prior to the adoption of said resolution No. 50, and that he be directed and required to place a steam coil in said book-room sufficient to heat it in a comfortable manner.

LEWIS C. LAYLIN,
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Adopted April 18, 1892.

[House Joint Resolution No. 39.]

JOINT RESOLUTION

Authorising the trustees of the institution for deaf and dumb to sign a petition under the provisions named within.

Be it resolved by the General Assembly of the State of Ohio, That the trustees of the institution for deaf and dumb be and they are hereby authorized to sign a petition granting to the Columbus Consolidated Street R. R. Co. the right to lay a double-track street railroad in front of the property of the state of Ohio on Oak street in the city of Columbus between Grant avenue and Washington avenue; and granting consent to the narrowing of the sidewalk on said Oak street two and one-half feet; provided that the expense of setting back the curb on said Oak street be borne by the Columbus Consolidated Street R. R. Co., and that the said Street R. R. Co improve said Oak street in front of the property of the state of Ohio, by putting down a new street pavement at the expense of the said Street R R. Co., said street pavement to be Hayden block.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Adopted April 18, 1892.

[House Joint Resolution No. 40]

JOINT RESOLUTION

Directing the board of public works to pay certain indebtedness.

WHEREAS, The state of Ohio is indebted to Kohler and Musser, attorneys of Akron, Ohio, in the sum of one hundred and ninety-five dollars ($195.00), and to R. W. Sadler, attorney, Akron, Ohio, in the sum of four hundred forty-nine dollars and seventy-two cents ($449.72), and to H. K. Souder, court stenographer, Akron, Ohio, in the sum of seventy-two dollars ($72.00); and

WHEREAS, All of said indebtedness was incurred by the state in litigation concerning canal lands in said city of Akron; now, therefore,

Be it resolved by the General Assembly of the State of Ohio, That the board of public works of the state of Ohio be and said board hereby is directed and required to pay to the said Kohler and Musser, the said sum of $195.00; and to the said R. W. Sadler, the said sum of $449 72; and to the said H. K. Souder, the said sum of $72.00, out of the funds heretofore appropriated to the said board of public works for the northern division of the Ohio canal, or out of any funds heretofore appropriated to said board of public works for the payment of attorney fees, as said board of public works may elect.

LEWIS C. LAYLIN
Speaker of the House of Representatives.
ANDREW L. HARRIS,
President of the Senate.

Adopted April 18, 1892.

[House Joint Resolution No. 41.]

JOINT RESOLUTION

Relative to printing 1,200 copies of the "manual of legislative practice."

Be it resolved by the General Assembly of the State of Ohio, That the clerk of the senate and clerk of the house of representatives are hereby directed to revise, correct and have printed and bound 1 200 copies of the "manual of legislative practice in the general assembly of Ohio," for the years 1892–93; three hundred copies for the use of the senate and 900 for the use of the house of representatives.

LEWIS C. LAYLIN
Speaker of the House of Representatives.

ANDREW L. HARRIS,
President of the Senate.

Adopted April 18, 1892.

STATE OF OHIO,
OFFICE OF THE SECRETARY OF STATE.

I, C. L. POORMAN, Secretary of State of the State of Ohio, do hereby certify that the foregoing acts and joint resolutions were printed under and by the authority of the General Assembly of said State, and that the same are true copies, copied from the original rolls on file in this office, of the acts passed and the joint resolutions adopted by the Seventieth General Assembly of the State of Ohio, at its regular session, begun January 4, 1892, and ended April 18, 1892, and held in the city of Columbus.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name, and affixed my official seal, at Columbus, the 19th day of July, A. D. 1892.

C. L. POORMAN,
Secretary of State.

[SEAL]

TIMES FOR HOLDING THE CIRCUIT COURTS AND COURTS OF COMMON PLEAS IN OHIO IN 1892.

Counties.	County Seats.	Circuits.	Circuit Courts.	Districts.	Subdivisions.	Common Pleas Courts.
Adams	West Union	4	April 6, Nov. 11	5	1	Jan 19, May 3, Oct. 4.
Allen	Lima	3	May 31, Dec. 5	3	1	Feb. 8, May 9, Nov. 14.
Ashland	Ashland	5	April 19, Nov. 15	6	2	March 7, Sept. 5, Dec. 5.
Ashtabula	Jefferson	7	March 1, Oct. 18	9	3	Jan. 11, March 14, Oct. 24.
Athens	Athens	4	Jan. 27, Sept. 29	7	3	Feb. 8, May 2, Oct. 17.
Auglaize	Wapakoneta	3	May 2, Oct. 17	3	1	Jan. 4, April 11, Sept. 5.
Belmont	St. Clairsville	7	June 14, Dec. 13	8	2	Feb 9, April 26, Oct. 11.
Brown	Georgetown	4	April 12, Nov. 15	5	1	Jan. 26, May 17, Oct. 11.
Butler	Hamilton	1	April 11, Oct. 10	2	1	Jan. 11, May 2, Oct. 10.
Carroll	Carrollton	7	Feb. 2, Sept. 28	9	1	Feb. 15, May 16, Nov. 14.
Champaign	Urbana	2	April 18, Nov. 10	2	2	Jan. 11, May 2, Oct. 10.
Clark	Springfield	2	May 30, Dec. 5	2	3	Jan. 11, May 2, Oct. 10.
Clermont	Batavia	1	April 5, Oct. 3	5	1	Feb. 2, May 10, Oct. 18.
Clinton	Wilmington	1	May 2, Oct. 31	2	3	Jan. 4, May 9, Oct. 3.
Columbiana	New Lisbon	7	Jan. 19, Sept 22	9	1	Feb. 1, May 2, Oct. 3.
Coshocton	Coshocton	5	May 3, Nov. 29	6	3	Jan. 4, April 5, Sept. 5.
Crawford	Bucyrus	3	Feb. 9, Oct. 4	10	2	Jan. 4, April 5, Sept. 12.
Cuyahoga	Cleveland	8	Jan. 12, Oct. 18	4	3	Jan. 4, April 5, Sept. 26.
Darke	Greenville	2	April 25, Oct. 31	2	1	Jan. 11, May 2, Oct. 10.
Defiance	Defiance	3	Jan. 26, Sept. 27	3	2	Feb 1, May 2, Oct. 3.
Delaware	Delaware	5	May 31, Dec. 20	6	1	Jan. 11, April 11, Sept. 26.
Erie	Sandusky	6	May 16, Nov. 14	4	1	Jan. 4, April 5, Sept. 12.
Fairfield	Lancaster	5	Jan. 5, Sept. 13	7	1	Jan. 25, April 11, Oct. 17.
Fayette	Washington C. H.	2	May 16, Nov. 21	5	2	Jan. 11, April 5, Oct. 3.
Franklin	Columbus	2	Jan. 4, Sept. 12	5	3	Jan. 4, April 11, Sept. 12.
Fulton	Wauseon	6	May 31, Nov. 28	3	3	March 14, June 6, Dec. 5.
Gallia	Gallipolis	4	March 1, Oct. 18	7	3	Jan. 5, April 5, Sept. 13.
Geauga	Chardon	7	Feb. 23, Oct. 4	9	3	Jan. 11, April 11, Oct. 24.
Greene	Xenia	2	March 28, Oct. 6	2	3	Jan. 11, May 2, Oct 3.
Guernsey	Cambridge	7	June 7, Dec. 8	8	1	March 1, April 26, Oct. 11.
Hamilton	Cincinnati	1	Jan. 4 Nov. 9	1	–	Jan. 4, April 4, July 4, Oct 6.
Hancock	Findlay	3	March 7, Oct. 24	10	1	Feb. 1, May 9, Oct. 3.
Hardin	Kenton	3	April 5, Nov. 29	10	1	Jan. 4, April 11, Sept. 5.
Harrison	Cadiz	7	May 24, Nov. 29	8	3	Jan. 5, March 22. Sept. 6.
Henry	Napoleon	3	Feb. 2, Sept. 29	3	3	Feb. 23, May 9, Sept. 12.
Highland	Hillsborough	4	April 20, Nov. 22	5	2	Feb. 23, May 16, Nov. 14.
Hocking	Logan	4	Feb. 9, Oct. 6	7	1	Jan. 11, May 2, Sept. 12.
Holmes	Millersburg	5	April 26, Nov. 22	6	3	Feb. 15, May 2, Oct. 10.
Huron	Norwalk	6	May 2, Oct. 31	4	1	Feb. 15, May 16, Nov. 14.
Jackson	Jackson	4	May 31, Dec. 20	7	2	Feb. 22, May 2, Nov. 14.
Jefferson	Steubenville	7	May 17, Nov. 22	8	3	Feb. 2, April 19, Sept. 27.
Knox	Mt. Vernon	5	March 8, Oct. 18	6	1	Jan. 11, May 16, Nov. 7.
Lake	Painesville	7	Feb. 9, Oct. 6	9	3	Feb. 15, May 2, Nov. 21.
Lawrence	Ironton	4	March 8, Oct. 24	7	2	Feb. 15, May 16, Oct. 31.
Licking	Newark	5	March 15, Oct. 25	6	1	Jan. 11, April 11, Sept. 12.
Logan	Bellefontaine	3	Jan. 19, Sept. 15	10	3	Feb. 15, May 9, Oct. 17.
Lorain	Elyria	8	April 25, Oct. 3	4	2	Jan. 4, May 9, Oct. 17.
Lucas	Toledo	6	Jan. 4, Sept. 12	4	1	Jan. 4, April 5, Sept. 26.
Madison	London	2	March 21, Oct. 3	5	3	March 9, June 1, Nov. 2.
Mahoning	Youngstown	7	March 15, Oct. 25	9	2	Jan. 11, May 2, Sept. 26.
Marion	Marion	3	Jan. 12, Sept. 21	10	2	Feb. 22, May 16, Oct. 17.
Medina	Medina	8	May 2, Oct. 10	4	2	Jan. 4, June 20, Nov. 28.
Meigs	Pomeroy	4	Feb. 23, Oct. 14	7	3	Jan. 5, April 5, Sept. 13.
Mercer	Celina	3	May 23, Oct. 12	8	1	March 7, June 6, Nov. 14.

TIMES FOR HOLDING THE CIRCUIT COURTS AND COURTS OF COMMON PLEAS, ETC.—Concluded.

Counties.	County Seats.	Circuits.	Circuit Courts.	Districts.	Subdivisions.	Common Pleas Courts.
Miami	Troy	2	April 5, Oct. 17	2	2	Feb. 15, May 2, Oct. 10.
Monroe	Woodsfield	4	March 30, Sept. 22	8	2	Jan. 19, April 5, Sept. 20.
Montgomery	Dayton	2	June 13, Dec. 15	2	2	Jan. 11, May 2, Oct. 10.
Morgan	McConnelsville	5	April 12, Nov 9	8	1	March 7, June 6, Sept. 19.
Morrow	Mt. Gilead	5	May 24, Dec. 13	6	2	Feb. 1, May 2, Oct. 3.
Muskingum	Zanesville	5	March 29, Nov. 1	8	1	Jan. 4, April 11, Oct. 10.
Noble	Caldwell	7	May 31, Dec. 6	8	1	Feb. 9, April 5, Sept. 20.
Ottawa	Port Clinton	6	June 21, Dec. 6	4	1	Feb. 15, May 16, Nov. 14.
Paulding	Paulding	3	May 16, Nov. 14	3	2	Jan. 5, April 5, Sept. 5.
Perry	New Lexington	5	May 17, Sept. 20	7	1	Feb. 8, June 6, Nov. 14.
Pickaway	Circleville	4	April 27, Nov. 28	5	3	Jan. 4, April 18, Sept. 12.
Pike	Waverly	4	May 24, Dec. 13	7	2	Feb. 1, April 11, Oct 3.
Portage	Ravenna	7	May 3, Nov. 9	9	2	Jan. 11, May 2, Sept. 26.
Preble	Eaton	2	May 9, Nov. 14	2	1	Feb. 15, June 6, Nov. 21.
Putnam	Ottawa	3	March 1, Oct. 19	3	3	Jan. 4, April 5, Oct. 24.
Richland	Mansfield	5	Jan. 19, Sept. 27	6	2	March 28, Aug. 29, Nov. 28.
Ross	Chillicothe	4	May 10, Dec. 6	5	2	Jan. 11, April 5, Oct. 3.
Sandusky	Fremont	6	June 6, Dec. 12	4	1	Jan. 4, April 5, Sept. 12.
Scioto	Portsmouth	4	March 15, Oct. 31	7	2	Jan. 4, April 5, Sept. 12.
Seneca	Tiffin	3	April 12, Dec. 13	10	1	Feb. 22, May 23, Oct. 17.
Shelby	Sidney	2	April 14, Oct. 27	3	1	Jan. 4, April 5, Sept. 26.
Stark	Canton	5	Feb 23, Oct 11	9	1	Jan. 11, May 2, Sept. 26.
Summit	Akron	8	April 11, Sept. 21	4	2	Jan 18, May 2, Oct. 3.
Trumbull	Warren	7	April 12. Nov. 15	9	2	Feb. 15, May 23, Oct. 10.
Tuscarawas	New Philadelphia	5	May 10, Dec. 6	8	3	Jan. 26, April 19, Sept. 27.
Union	Marysville	3	Feb. 23, Sept. 13	10	3	Jan. 11. April 4, Sept. 12.
Van Wert	Van Wert	3	Feb. 15, Oct. 10	3	1	Feb. 1, May 2, Oct. 3
Vinton	McArthur	4	Feb. 16, Oct 10	7	2	Jan. 4, March 21, Sept. 6.
Warren	Lebanon	1	April 25, Oct. 24	2	3	Jan. 11, May 9, Oct. 10.
Washington	Marietta	4	Jan. 19, Sept. 26	7	3	Feb. 2, May 10, Oct. 11.
Wayne	Wooster	5	Feb. 9, Oct. 4	6	3	Feb. 29, Sept. 5, Nov. 21.
Williams	Bryan	6	June 1, Nov. 30	3	2	March 8, June 7, Nov. 15.
Wood	Bowling Green	6	April 18, Oct. 17	10	1	Jan. 4, April 5, Sept. 5.
Wyandot	Upper Sandusky	3	May 10, Nov. 22	10	2	Jan. 11, May 23, Oct. 10.

STATE OF OHIO,

OFFICE OF THE SECRETARY OF STATE.

I, C. L. POORMAN, Secretary of State of the State of Ohio, do hereby certify that the foregoing is a correct statement of the times for holding the Circuit Courts and Courts of Common Pleas in the several counties of the State of Ohio, in the year 1892, taken from the official lists returned by the Judges of said Courts to this office, as amended by an act of the Seventieth General Assembly, passed at its regular session.

WITNESS my hand and official seal, this 19th day of July, A. D. 1892.

[SEAL]

C. L. POORMAN,
Secretary of State.

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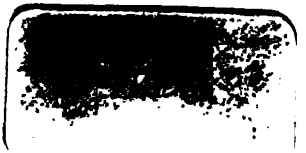
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